CA4 ON HBL A05
A31
1999

URBAN
MUNICIPAL

AGENDAS/MINUTES
MEETINGS OF THE COUNCIL
OF THE CITY OF HAMILTON

MAY 6, 1999 ...



CAY ON HBL A05
A31
1999

URBAN
MUNICIPAL

K. Roberts
Chief Executive Officer
Hamilton Public Library
2nd floor

April 28, 1999

Notice of Special Meeting
COMMITTEE OF THE WHOLE\CITY COUNCIL

Thursday, May 6, 1999
10:00 o'clock a.m.
Council Chambers, City Hall

URBAN MUNICIPAL

MAY 6 1999

GOVERNMENT DOCUMENTS

J. J. Schatz,
Municipal Clerk

The purpose of this meeting is to consider the 1999 General Grants.

AGENDA TO FOLLOW.

c.c.: D. Lychak, City Manager
General Managers

CA4 ON HBL A05
A31
1999



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library

May 7, 1999

URBAN MUNICIPAL
MAY 12 1999
GOVERNMENT DOCUMENTS

Notice of Meeting
COMMITTEE OF THE WHOLE
CITY OF HAMILTON

Tuesday, May 11, 1999
4:00 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz, Municipal Clerk

AGENDA

1. Call to Order.
2. Adoption of the minutes of the meeting held Thursday, April 29, 1999.
3. Listing of resolutions respecting the 1999 Current Budget previously approved by the Committee of the Whole on April 29, 1999.
4. City 1999 Current Budget Recommendations.
5. Other Business.
6. Adjournment.

* **NOTE:** Please bring your Blue Binder containing the Budget material previously circulated.

** Dinner will be available at 6:00 o'clock p.m. in Room 264

Notice of Meeting
City Council
(immediately following Committee of the Whole)

1. Call to Order.
2. Motion to Adopt the Report of the Committee of the Whole re: Budget
3. Adjournment.

CA4 ON HBL A05
A31
1999



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library

May 7, 1999

URBAN MUNICIPAL
MAY 12 1999
GOVERNMENT DOCUMENTS

Notice of Meeting
COMMITTEE OF THE WHOLE
CITY OF HAMILTON

Tuesday, May 11, 1999
4:00 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz, Municipal Clerk

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5. Other Business.
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* **NOTE:** Please bring your Blue Binder containing the Budget material previously circulated.

** Dinner will be available at 6:00 o'clock p.m. in Room 264

Notice of Meeting
City Council
(immediately following Committee of the Whole)

1. Call to Order.
2. Motion to Adopt the Report of the Committee of the Whole re: Budget
3. Adjournment.

2.

Committee of the Whole Minutes
Of
The City of Hamilton

Thursday, April 29, 1999
2:00 p.m.
Council Chambers, Hamilton City Hall

The Committee of the Whole of the City of Hamilton met.

Present: Mayor R. Morrow
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli, D. Haining, G. Copps, D. Wilson, F. Eisenberger, C. Collins, B. Charters, T. Jackson, T. Anderson, F. D'Amico, D. O'Sullivan

Regrets: Alderman G. Copps – Personal business
Alderman B. Kelly – Bereavement

1. Call to Order

Mayor Morrow called the meeting to order.

2. Adoption of the minutes of the previous meetings

The Committee was in receipt of the minutes of their meetings held on April 15, 1999 and April 20, 1999. The Committee approved these minutes as circulated.

3. General Manager, Transportation, Operations and Environment – Road and Sidewalk Capital Improvement Programme

The Committee was in receipt of a report from the General Manager, Transportation, Operations and Environment dated April 16, 1999 respecting the above noted matter. The Committee agreed to receive this document for information purposes.

4. General Manager, Finance – Seniors Tax Credit

The Committee was in receipt of an Information Report from the General Manager, Finance dated April 16, 1999 respecting the above noted matter.

Considerable discussion ensued with respect to this matter.

(Caplan/Wilson)

That the present Seniors Tax Credit programme be amended to discontinue the present rebate of $75. to all seniors, and in lieu thereof to provide for an amount of $150. to be given to all seniors receiving the Guaranteed Income Supplement (G.I.S.)

Recorded Vote:

Yeas: Mayor Morrow, Aldermen D. Wilson, D. O'Sullivan, B. Charters, M. Caplan, A. Horwath, R. Corsini, F. Eisenberger (8)

Nays: Aldermen T. Jackson, M. Kiss, B. Morelli, T. Anderson, C. Collins (5)

MOTION CARRIED

(Corsini/Eisenberger)

That a Committee be set up to study the new Seniors Tax Credit Programme in order to provide a report back for the 2000 Budget Discussions. Carried

Further to this matter, the General Manager, Finance noted that he will report back to the Committee at the end of the summer on the numbers of people who have applied under the new Programme.

5. 1999 Current Budget

The Committee was in receipt of a revised Agenda Item #5.

The Committee made the following motions:

H.S.P.C.A. Financial Target

(Jackson/Morelli)

That the financial target for the H.S.P.C.A. be established at a 3% reduction from the 1998 funding level. Carried

Mum Show

(Jackson/O'Sullivan)

That funding be included in the 1999 Current Budget in the amount of $94,500 for the Chrysanthemum Show.

Recorded Vote:

Yeas: Mayor Morrow, Aldermen D. O'Sullivan, A. Horwath, T. Jackson, M. Kiss, F. D'Amico, B. Morelli, F. Eisenberger, R. Corsini (9)

Nays: Aldermen D. Wilson, B. Charters, M. Caplan, T. Anderson (4)

Carried

Chedoke Ski Hill

(Kiss/Caplan)

That an amount of $225,000 be provided in the 1999 Current Budget for the operation of the Chedoke Ski Hill.

Recorded Vote:

Yeas: Mayor Morrow, Aldermen T. Jackson, M. Caplan, M. Kiss, F. D'Amico, B. Morelli, F. Eisenberger, R. Corsini, C. Collins (9)

Nays: Aldermen D. Wilson, D. O'Sullivan, B. Charters, A. Horwath, T. Anderson (5)

Carried

Hamilton Farmers Market – Increase User Fees

(O'Sullivan/Caplan)

That the Friday rebate for the Hamilton Farmers Market be included in the 1999 Current Budget and that the recommended increase for user fees be implemented in the 2000 Current Budget.

Motion Lost

(Corsini/Horwath)

That the recommended User Fee increase for the Hamilton Farmers Market be withdrawn.

Motion Lost

Added – Amalgamation of City and Region Fleet Services

Alderman Collins requested an update on the amalgamation of the City and Region Fleet Services. The City Manager advised that a report on this amalgamation will be coming to the Committee.

Modified Neighbourhood Plan review for portions of the North End East, Beasley, Lansdale and Keith Neighbourhoods – Plastimet

(Horwath/Corsini) to forward the following recommendation to City Council:

Modified Neighbourhood Plan review for portions of the North End East, Beasley, Lansdale and Keith Neighbourhoods – Plastimet

(a) That the Community Planning and Development Division be requested to undertake a modified neighbourhood plan review for portions of the North End East, Beasley, Lansdale and Keith neighbourhoods, more specifically, the area bounded by Picton Street East to the north, Ferguson Avenue North to the west, Barton Street East to the south and Victoria Avenue North to the east.

(b) That the General Manager of Finance be requested to identify the source of funding required to complete the $30,972 cost of the Modified Neighbourhood Plan Review.

(c) That City Council request that the Ministry of the Environment undertake clean up of the Plastimet site to the maximum (residential) use.

1999 Current Budget Items not moved in to the Budget

The Committee noted that Items #2 (Financials – Eliminate $75 Seniors Tax Rebate), #6 (Financials – Eliminate Downtown Parking initiatives) , #12 (Comm. Serv. Huntington Park District Centre) and #13 (Ivor Wynne Stadium) would not be moved into the Budget.

Strategic Plan for the north-east quadrant – Gateway

(Wilson/Morelli) to approve the following for presentation to City Council:

(a) That the General Manager, Transportation, Operations and Environment Division, be authorized to lead a multi-disciplinary team of staff in the preparation of a Strategic Plan for the north-east quadrant of the City of Hamilton with the intent of undertaking improvements on both public and private lands to enhance the image of the area and its gateway role through "greening" and environmental initiatives; and,

(b) That the estimated cost of $150,000 for this study be funded equally through a partnership formed with the City of Hamilton/Regional Municipality of Hamilton-Wentworth, the Hamilton Harbour Commission and private industry; and,

(c) That the City of Hamilton's contribution to the project be $25,000 and be funded through the Working Reserves; and,

(d) That the General Manager, Transportation, Operations and Environment Division be directed to submit a work schedule, team membership and consultant involvement for approval of the City Manager by May 31,. 1999.

Referral of 1999 Current Budget decisions to a Future Meeting of the Committee of the Whole

(Wilson/Horwath)

That the forwarding of resolutions respecting the 1999 Current Budget be referred to a future meeting of the City Committee of the Whole to be held in two weeks time. Carried

Adjournment

There being no further business, the meeting adjourned at 3:30 p.m.

Taken as read and approved,

Mayor Robert M. Morrow
Chairman
Committee of the Whole

Kevin Christenson
Acting Municipal Clerk
April 29, 1999

3.

LISTING OF RESOLUTIONS RESPECTING THE CITY 1999 CURRENT BUDGET PREVIOUSLY APPROVED BY THE CITY COMMITTEE OF THE WHOLE ON APRIL 29, 1999

1. Seniors Tax Credit Programme

(Caplan/Wilson)

That the present Seniors Tax Credit programme be amended to discontinue the present rebate of $75. to all seniors, and in lieu thereof to provide for an amount of $150. to be given to all seniors receiving the Guaranteed Income Supplement (G.I.S.)

2. Committee to study and report back for the 2000 Budget on the new Seniors Tax Credit Programme

(Corsini/Eisenberger)

That a Committee be set up to study the new Seniors Tax Credit Programme in order to provide a report back for the 2000 Budget Discussions.

3. H.S.P.C.A. Financial Target

(Jackson/Morelli)

That the financial target for the H.S.P.C.A. be established at a 3% reduction from the 1998 funding level.

4. Mum Show

(Jackson/O'Sullivan)

That funding be included in the 1999 Current Budget in the amount of $94,500 for the Chrysanthemum Show.

5. Chedoke Ski Hill

(Kiss/Caplan)

That an amount of $225,000 be provided in the 1999 Current Budget for the operation of the Chedoke Ski Hill.

4.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: May 10, 1999

REPORT TO: J.J. Schatz, Secretary
Committee of the Whole

FROM: Allan C. Ross
General Manager of Finance

SUBJECT: **1999 Current Budget Recommendations**

a) That the recommended Program Changes (attached Page 3) in the amount of $1,759,400 be approved.

b) That the one-time costs (attached Page 4) in the amount of $528,970 be approved and funded

   i) $195,500 from the Reserve for Uninsured Losses, and,

   ii) $333,470 from the Tax Stabilization Reserve.

c) That the New/Enhanced program (attached Page 5) for the Assignment of School Crossing Guards – 5 locations in the net levy amount of $23,850 be approved and funded by a tax levy increase.

d) That the Supplementary Program Changes (#4 and #5 and New – attached Page 3) in the total amount of $1,465,000 be approved.

e) That the 1999 Tax Levy in the amount of $115,944,800 representing a 4.02% decrease from 1998 be approved, and that this results in the 1999 total approved expenditure budget of $163,105,010.

REVISED

CITY OF HAMILTON

10-May-99

OPERATING LEVY & CORPORATE FISCAL ISSUES

	1998 LEVY $	1999 LEVY $	% CHANGE %	IMPACT ON TAX BILL $	IMPACT ON TAX BILL %
MAINTENANCE BUDGET	87,545,500	87,922,800	0.43%	2.62	0.31%
LESS: RESTRUCTURING		(1,957,000)	(2.24)%	(13.59)	(1.62)%
ADD: NEW / ENHANCED PROGRAMS		23,850	0.03%	0.17	0.02%
LESS: RECOMMENDED PROGRAM CHANGES		(1,759,400)	(2.01)%	(12.22)	(1.46)%
SUBTOTAL		**84,230,250**	**(3.79)%**	**(23.03)**	**(2.74)%**
LESS: SUPPLEMENTARY APPROVED PROGRAM CHANGES		(1,465,000)	(1.67)%	(10.17)	(1.21)%
TOTAL		**82,765,250**	**(5.46)%**	**(33.20)**	**(3.96)%**
NET CAPITAL FINANCING	17,141,960	17,371,010	1.34%	1.59	0.19%
OUTSIDE BOARDS & AGENCIES (as submitted)	16,034,640	15,808,540	(1.41)%	(1.57)	(0.19)%
ASSESSMENT GROWTH	80,000			(0.56)	(0.07)%
TOTAL NET LEVY	**120,802,100**	**115,944,800**	**(4.02)%**	**(33.74)**	**(4.02)%**

REVISED

CITY OF HAMILTON

RECOMMENDED PROGRAM CHANGES

No.	Dept.	Description	ANNUALIZED IMPACT	FTE'S	
1	Street & San.	Elimination of 1 Administration position	(43,940)	(1.00)	
2	Parks	5% reduction in grass maintenance	(42,000)	(1.00)	
3	Parks	Eliminate City funding for Chrysanthemum Show	(10,500)	(2.00)	REVISED
4	Traffic	Reduce routine Sign Maintenance	(30,000)	(0.50)	
5	Traffic	Eliminate unwarranted school crossing guard supervision (various)	(52,280)	(1.30)	
6	Traffic	Parking Permit fee increase	(59,000)		
7	Traffic	Parking Control - Increase level of parking enforcement	(320,000)		
8	Traffic	Fleet Services - Vehicle Utilization Program	(180,000)		
19	Eng/Zon/Counter	Increase Committee of Adjustment Fee	(50,350)		
20	Planning	Planning Fee Increase	(138,350)		
33	Cult & Rec	Hamilton Civic Golf Courses - Increase User Fees	(170,000)		
34	Cult & Rec	Recreation Facilities, Sports Fields, Arenas - Increase User Fees	(55,790)		
35	Cult & Rec	Summer Tennis Program - transfer operation to community	(13,000)	(1.00)	
36	Cult & Rec	Recr. Serv. - Community, reduce grants to various outside Boards 10%	(31,960)		REVISED
37	Cult & Rec	Ivor Wynne Stadium	(63,000)	(1.50)	
38	Cult & Rec	Chedoke Winter Sports Park	(60,830)		REVISED
39	Cult & Rec	Hamilton Farmers' Market - Increase User Fees	(56,110)		
40	Cult & Rec	Hamilton Museum of Steam & Technology - Increase User Fees	(5,000)		
41	Cult & Rec	Cultural Services - Elimination of vacant Admin. Position	(32,130)	(1.00)	
43	Clerks	Information Desk	(70,160)	(1.50)	
44	Clerks	Administrative - Vital Statistics Fees	(275,000)		
		TOTAL RECOMMENDED PROGRAM CHANGES	**(1,759,400)**	**(10.80)**	

SUPPLEMENTARY PROGRAM CHANGES APPROVED BY COW

			ANNUALIZED IMPACT	FTE'S	
4	Financials	Reduce provision for Tax Remissions towards 1997 levels	(300,000)		
5	Financials	Reduce reserve transfers for Sick Leave & WCB to 1998 levels	(500,000)		
New	Financials	Replace $75 Seniors Tax Rebate with $150 Rebate to GIS Recipients Only	(665,000)		SEE REPORT ITEM #14 COW APR. 20
		TOTAL SUPPLEMENTARY PROGRAM CHANGES APPROVED BY COW	**(1,465,000)**	**0.00**	

REVISED

CITY OF HAMILTON

1999 CURRENT BUDGET

ONE-TIME ITEMS

DEPT/DIV	DESCRIPTION	NET AMOUNT $
Legal Services	Outside Counsel Costs	195,500
Info Technology	Peoplesoft Operating Costs for 1999	333,470
	Total	528,970

Region

City XX

ONE-TIME ITEM FORM

1. Division/Department: Corporate Services Group
Legal Services

2. Description of One-Time Item: City Outside Counsel Costs

3. Justification for One-Time Item:

At the Region outside counsel costs are fully recoverable. This is consistent with the fact that outside counsel costs are a genuine contingency unless outside counsel is being used for outsourcing. That is not the case in Legal Services. Accordingly, City outside counsel costs are being shown as a one-time item pending transition to a contingency-based system as is used in the Region.

4. 1999 Costs

	Proposed 1999 Costs
Description of Expenditures	$195,500
Recoveries	0
Net Levy Impact	$195,500

Region [X]

City [X]

ONE-TIME ITEM FORM

1. Division/Department: Information Technology Services

2. Description of One-Time Item: Peoplesoft Operating Costs for 1999

3. Justification for One-Time Item:

Hardware leasing and Software Licensing Costs for the Peoplesoft Financial and Human Resources Systems. (Peoplesoft Implementation approved by Council June 23, 1998)

In 1999, the Financial and Human Resources Systems are continuing to operate in the mainframe environment while the new Peoplesoft Systems is being implemented. This parallel operation (and costs) will be necessary in 1999 until the Peoplesoft system is fully implemented and replaces the current mainframe operations.

The mainframe is scheduled to be decommissioned in December of 1999 at which time the annualized cost of operation is estimated to be reduced by $ 789,000

4. 1999 Costs

	Proposed 1999 Costs
Description of Expenditures	
- Computer Software Annual License Costs	$ 344,800
- Rent Computer Equipment	$ 235,140
Recoveries	
- Subsidies	
- Other Possible Recoveries (ie, salvage value)	$0
Net Levy Impact	$ 579,940

CITY OF HAMILTON

1999 CURRENT BUDGET

NEW / ENHANCED PROGRAMS

DEPT/DIV	DESCRIPTION	NET LEVY IMPACT $
Traffic	Assignment of School Crossing Guards - 5 locations	23,850

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+ Bill

May 6, 1999

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

URBAN MUNICIPAL

Tuesday, May 11, 1999
7:30 o'clock p.m.
Council Chambers, City Hall

MAY 12 1999

J. J. Schatz
Municipal Clerk

GOVERNMENT DOCUMENTS

AGENDA

1. ***National Anthem:*** *Played by the Navy League of Canada and Royal Canadian Sea Cadets Band*

2. ***Opening Prayer:*** *Father Lucien Puscariu, Romanian Orthodox Church of Holy Resurrection*

3. ***Presentation***

   Shona Thorbum – Women's Basketball National Champion

4. ***Adoption of the minutes of the meeting held April 27, 1999 and the special meeting held April 29, 1999.***

5. ***Correspondence.***

6. ***Reports of the Standing Committees:***

   (a) Transport and Environment Committee.
   (b) Parks and Recreation Committee.
   (c) Planning and Development Committee.
   (d) Finance and Administration Committee.
   (f) City of Hamilton Licensing Committee.

7. ***Notices of Motion for next meeting.***

8. ***Question Period.***

9. ***Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, April 27, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, A. Horwath, B. Morelli, D. Haining, D. Wilson, F. Eisenberger, T. Jackson, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman M. Caplan – City Business
Alderman R. Corsini – City Business
Alderman G. Copps – Personal Business
Alderman C. Collins – City Business
Alderman B. Charters – Regional Business

Mayor R. M. Morrow called the meeting to order.

Reverend Stephen Chmilar, St. Nicholas Ukrainian Catholic Parish led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow recognized the 75th Scouting Group. In attendance were: Randy Shane Soepboer, Grant Mattis, Tyler Potter, Bradley Griffin, Natalia Paglia, Laura Ballyk, and Mathew Ballyk.

* * * * * * * * * * * * * * * * * * *

Major Roland Shea, Salvation Army presented Mayor R. M. Morrow with the Red Shield Flag.

ADOPTION OF MINUTES

The minutes of the meeting held April 13, 1999 were adopted as circulated.

The minutes of the special meeting held April 20, 1999 were not adopted as a result of a tie vote.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Eisenberger, Jackson, D'Amico. -6

NAYS: Aldermen Morelli, Haining, Wilson, Anderson, Kelly, O'Sullivan. –6

CORRESPONDENCE

1. Letter dated April 12, 1999 from Ms. Susan L. Steele, Town Clerk for the Corporation of the Town of Dundas respecting the reduction in size of council.

   Received.

2. Letter dated March 9, 1999 from Kasey Deksnys, Lithuanian Canadian Community respecting government support of Lithuania into an expanded NATO.

   Received.

* * * * * * * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Horwath that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, the City of Hamilton Licensing Committee, be considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Eisenberger, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –12.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE – FOURTH REPORT

Section 1 Re: Proposed Alteration of Hess St. S., between King St. W. and Jackson St., and George St., from Hess St. S.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Morelli, Haining, Wilson, Eisenberger, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –11.

NAYS: Alderman Kiss -1. **CARRIED.**

PARKS AND RECREATION COMMITTEE – FIFTH REPORT

Section 2 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Eisenberger, Anderson, Kelly, D'Amico, O'Sullivan. –11.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Rule No. 9 - Citizen Appointment to the Hamilton Historical Board

It was moved by Alderman Morelli and seconded by Alderman Haining that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the appointment of citizen members to the Hamilton Historical Board. **CARRIED.**

* * * * * * * * *

It was moved by Alderman Morelli and seconded by Alderman Haining
That the following be added as Section 16 of the FIFTH Report of the Parks and Recreation Committee for 1999:

16. **Appointment of Citizen Members – Hamilton Historical Board**

That the following citizens be appointed to serve on the Hamilton Historical Board:

Carolyn McCann	for a term to expire November 30, 2000
Sue Elliot	for a term to expire November 30, 2002
Jennifer Reynolds	for a term to expire November 30, 2002

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – TENTH REPORT

Section 2 Re: ZA-99-02 86 Mall Road

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Eisenberger, Jackson, Anderson, Kelly, O'Sullivan. –11.

NAYS: Alderman D'Amico. -1. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE – EIGHTH REPORT

NOMINATING COMMITTEE – SECOND REPORT

CITY OF HAMILTON LICENSING COMMITTEE – THIRD REPORT

ACTING MAYOR FOR THE MONTH OF MAY, 1999

It was moved by Alderman Kiss and seconded by Alderman Horwath that Alderman M. Caplan be appointed Acting Mayor for the month of May, 1999. **CARRIED.**

* * * * * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Horwath that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, the City of Hamilton Licensing Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Wilson, Eisenberger, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –12.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * *

City Council then adjourned at 8:20 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

J. J. Schatz
Municipal Clerk
April 27, 1999
JJS/dg

Minutes of the Special Meeting of City Council
Thursday, April 29, 1999
3:25 o'clock p.m.
Council Chambers, City Hall

The Council met:

Present: Mayor R. M. Morrow, Chairman.
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli, D. Wilson, C. Collins, F. Eisenberger, T. Jackson, B. Charters, T. Anderson, F. D'Amico, D. O'Sullivan.

Absent: Alderman D. Haining – City Business
Alderman G. Copps – Personal Business
Alderman B. Kelly - Bereavement

Mayor R. M. Morrow called the meeting to order.

COMMITTEE OF THE WHOLE – FIFTH REPORT

It was moved by Alderman Kiss and seconded by Alderman D'Amico that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, D'Amico, O'Sullivan. – 14.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 3:30 o'clock p.m.

* * * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

Kevin C. Christenson, Acting Clerk
April 29, 1999
KCC/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton.

Members of Council

The Committee of the Whole presents its **FIFTH** Report for 1999 and respectfully recommends:

1. **Modified Neighbourhood Plan review for portions of the North End East, Beasley, Lansdale and Keith Neighbourhoods - Plastimet.**

   (a) That the Community Planning and Development Division be requested to undertake a modified neighbourhood plan review for portions of the North End East, Beasley, Lansdale and Keith neighbourhoods, more specifically, the area bounded by Picton Street East to the north, Ferguson Avenue North to the west, Barton Street East to the south and Victoria Avenue North to the east.

   (b) That the General Manager of Finance be requested to identify the source of funding required to complete the $30,972 cost of the Modified Neighbourhood Plan Review.

   (c) That City Council request that the Ministry of the Environment undertake clean up of the Plastimet site to the maximum (residential) use.

2. **Strategic Plan for the north-east quadrant – Gateway.**

   (a) That the General Manager, Transportation, Operations and Environment Division, be authorized to lead a multi-disciplinary team of staff in the preparation of a Strategic Plan for the north-east quadrant of the City of Hamilton with the intent of undertaking improvements on both public and private lands to enhance the image of the area and its gateway role through "greening" and environmental initiatives; and,

   (b) That the estimated cost of $150,000 for this study be funded equally through a partnership formed with the City of Hamilton/Regional Municipality of Hamilton-Wentworth, the Hamilton Harbour Commission and private industry; and,

   (c) That the City of Hamilton's contribution to the project be $25,000 and be funded through the Working Funds Reserves; and,

   (d) That the General Manager, Transportation, Operations and Environment Division be directed to submit a work schedule, team membership and consultant involvement for approval of the City Manager by May 31, 1999.

3. **Bill**

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

F-5: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN

K. C. Christenson
Acting Clerk

CORRESPONDENCE

Correspondence:

1. Application dated April 27, 1999 from Alexander Furmanov, Toronto, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 199 Stone Church Road West, Hamilton, Ontario.

   Recommendation: Be Received.

2. Application dated April 27, 1999 from Sam Guerriero and Stefanina Guerriero, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 1509 Upper Sherman Avenue, Hamilton, Ontario.

   Recommendation: Be Received.

3. Application dated April 27, 1999 from Samuel Guerriero for a modification to the established "C" (Urban Protected Residential, etc.) District (Block "1") and for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected, Residential etc.) District, modified (Block "2") for 1487 Upper Sherman Avenue, Hamilton, Ontario.

   Recommendation: Be Received.

4. Application dated May 5, 1999 from Kim Jee Chiu and Bik Ha Hoy Chiu for a change in zoning from "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District to "DE" (Low Density Multiple Dwellings) District modified for 54 and 56 Alanson Street, Hamilton, Ontario.

   Recommendation: Be Received.

5. Application dated May 5, 1999 from Frank Mastrioanni and Antonietta Mastrioanni, 966 Stone Church Road East, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at the rear of 102 Eleanor Avenue, Hamilton, Ontario.

   Recommendation: Be Received.

6. Letter dated April 26, 1999 from R. Scott Smith, Secretary to the Board of the Commissioners, Hamilton Harbour Commission respecting Hamilton Harbour Commissioners' Land Use and Development By-law.

   Recommendation: Be Referred to the Planning and Development Committee

b.

605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Phone Numbers
Hamilton 905-525-4330
Inwats 1-800-263-2131

Fax Numbers
Administration 905-528-[illegible]
General Office 905-528-6554

The Hamilton Harbour Commissioners

April 26, 1999

The Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attn: Mr. J.J. Schatz
Municipal Clerk

Dear Mr. Schatz;

RE: Amendments to the Hamilton Harbour Commissioners' Land Use and Development By-Law

The Hamilton Harbour Commissioners, at their board meeting of April 22, 1999, passed the following resolution:

> "THAT the Hamilton Harbour Commissioners make the annexed By-law Amending the Hamilton Harbour Commissioners' Land Use and Development By-Law."

This By-Law Amending the Hamilton Harbour Commissioners' Land Use and Development By-Law is served upon the Corporation of the City of Hamilton pursuant to subsection 20(2) of the Hamilton Harbour Commissioners' Act.

Yours Truly,
THE HAMILTON HARBOUR COMMISSIONERS

R. Scott Smith
Secretary to the Board of Commissioners

cc. Mr. R. Morriss
Director General
Port Programs and Divestiture

ATTESTATION

This is to certify that a true copy of the *By-law Amending the Hamilton Harbour Commissioners' Land Use and Development By-Law*, as adopted in a resolution dated 22 April, 1999, was personally served on me on 26 April, 1999, pursuant to subsection 20(2) of *The Hamilton Harbour Commissioners' Act*.

ATTESTATION

J'atteste que la copie conforme du *Règlement modifiant le Règlement sur l'aménagement et l'utilisation du havre de Hamilton*, adoptée par la résolution du_____avril 1999, m'a été personnellement signifiée le _____ avril 1999, en vertu de l'article 20(2) de la *Loi des commissaires du havre de Hamilton.*

Signature

DARLYN LEE - ASSISTANT MUNICIPAL CLERK

Name (in capital letters) / Nom (en majuscules)

City Clerk of Hamilton or Alternate / Greffier de Hamilton ou Suppléant

RESOLUTION

The Hamilton Harbour Commissioners in full meeting assembled on 22 April, 1999, HEREBY RESOLVE

That The Hamilton Harbour Commissioners make the annexed *By-law Amending the Hamilton Harbour Commissioners' Land Use and Development By-Law.*

CERTIFICATE

I hereby CERTIFY the foregoing to be a true copy of a resolution passed on 22 April, 1999.

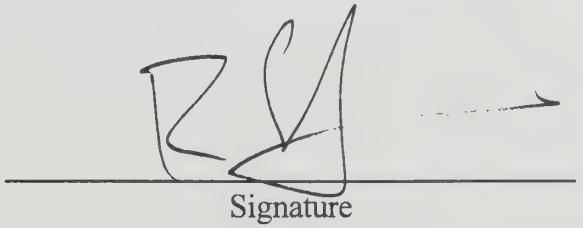
RÉSOLUTION

Les Commissaires du havre de Hamilton, réunis en assemblée générale le ____ avril 1999, déclarent :

Que les Commissaires du havre de Hamilton prennent le *Règlement modifiant le Règlement sur l'aménagement et l'utilisation du havre de Hamilton*, ci-après.

CERTIFICATION

J'atteste que le texte ci-dessus est la copie conforme du texte de la résolution adoptée le _____ avril 1999.



Signature

R.S. SMITH

Name (in capital letters) / Nom (en majuscules)

Secretary To The Commissioners

Title / Titre

Notice is hereby given that The Hamilton Harbour Commissioners, pursuant to sections 15 and 20 of *The Hamilton Harbour Commissioners' Act*[a], proposes to make the annexed *By-law Amending the Hamilton Harbour Commissioners' Land Use and Development By-Law.*

Interested persons may make representations concerning the proposed By-law to the Minister of Transport within 30 days after the date of publication of this notice. All such representations must cite the *Canada Gazette*, Part I, and the date of publication of this notice, and be sent to Mr. R. Scott Smith, Secretary, The Hamilton Harbour Commissioners, 605 James Street North, Hamilton, Ontario L8L 1K1. (Tel.: (905) 525-4330; Fax: (905) 528-6282)

THE HAMILTON HARBOUR COMMISSIONERS
R. SCOTT SMITH
Secretary

[a] S.C. 1912, c. 98

His Excellency the Governor General in Council, on the recommendation of the Minister of Transport, pursuant to sections 15 and 20 of *The Hamilton Harbour Commissioners' Act*[a], hereby confirms the annexed *By-law Amending the Hamilton Harbour Commissioners' Land Use and Development By-Law*, made by The Hamilton Harbour Commissioners on , and served on the City Clerk of Hamilton on .

[a] S.C. 1912, c. 98

BY-LAW AMENDING THE HAMILTON HARBOUR COMMISSIONERS' LAND USE AND DEVELOPMENT BY-LAW

AMENDMENTS

1. (1) The definitions "front yard", "rear yard", "setback" and "side yard" in section 2 of the *Hamilton Harbour Commissioners' Land Use and Development By-Law*[1] are replaced by the following:

"front yard", in respect of a lot, means the yard located between the side yards and between the front lot line and the part of a building on the lot that is nearest to that lot line; (*cour avant*)

"rear yard", in respect of a lot, means the yard located between the side yards and between the rear lot line and the part of a building on the lot that is nearest to that lot line; (*cour arrière*)

"setback", in respect of a yard, means the shortest horizontal distance between the lot line and the nearest point of any building located on the lot; (*retrait*)

"side yard", in respect of a lot, means the yard on a side of the lot that extends from the front lot line to the rear lot line and from the lot line at the side to the part of the building on the lot that is nearest to the lot line at that side; (*cour latérale*)

(2) The definition "lot" in section 2 of the French version of the By-law is replaced by the following:

« lot » Parcelle de terre située sur le terrain et dont les limites figurent sur un plan d'arpentage préparé par un arpenteur de l'Ontario ou par un ingénieur du havre. (*lot*)

(3) Section 2 of the By-law is amended by adding the following in alphabetical order:

"Corporation" means The Hamilton Harbour Commissioners as established by *The Hamilton Harbour Commissioners' Act*, Statutes of Canada, 1912, Chapter 98; (*Corporation*)

"front lot line" means

(*a*) in the case of an interior lot, the lot line dividing the lot from the street,

(*b*) in the case of a corner lot, the shorter lot line abutting the street, except if each lot line is of equal length, in which case the front lot line is the lot line from which the principal access is provided, and

---

[1] SOR/90-449

(*c*) in the case of a through lot, the lot line from which the principal access is provided; (*limite de lot frontale*)

"gross floor area" means the aggregate of all the floor areas of a building at each storey including any mezzanine and basement floor areas; (*aire de plancher brute*)

"person" means an individual, association, partnership, corporation, municipal corporation, agent, administrator or trustee and any heirs or executors thereto; (*personne*)

"rear lot line" means the lot line farthest from and opposite to the front lot line; (*limite de lot arrière*)

"street" means

(*a*) a public street under the jurisdiction of a local or regional municipality but does not include an arterial road, or

(*b*) an access road or street constructed and maintained by the Corporation; (*rue*)

"usable floor area" means the gross floor area less the floor area of a cellar, chimney shaft, garbage chute, pipe shaft, elevator shaft, boiler room, air-conditioning room, machinery room and other building plant rooms; (*aire de plancher utilisable*)

2. Sections 3 and 4 of the By-law are replaced by the following:

3. (1) This By-law applies, in accordance with the limitations on jurisdiction and control referred to in section 12 of *The Hamilton Harbour Commissioners' Act*, Statutes of Canada, 1912, Chapter 98, in respect of the use and development of the lands and property, on the waterfront or under water within the limits of the harbour of Hamilton, that are owned by the Corporation or by Her Majesty in right of Canada and are under the administration of the Corporation.

(2) The provisions of this By-law shall not apply to prevent the use of any land or building for any purpose prohibited by this By-law if the land or building was used for that purpose on August 15, 1990.

ZONES

4. The lands shall be divided into zones according to specific types of use, as set out in column I of the table to this section and the zones are referred to using the symbols set out in column II. The zones shall be established in the areas shown in Schedule I in accordance with the legend set out in that Schedule.

TABLE

ZONES

Item	Column I Zone	Column II Symbol
1.	Harbour operations zone	PZ-0
2.	Harbour industrial operations zone	PZ-1
3.	Harbour operations or industrial operations zone	PZ-2
4.	Harbour service commercial zone	PZ-3
5.	Harbour navigation zone	PZ-4

3. Paragraph 8(*b*) of the English version of the By-law is replaced by the following:

(*b*) blood boiling, bone boiling, rendering fats and storing slaughterhouse products;

4. Subsection 9(3) of the French version of the By-law is replaced by the following:

(3) Lorsqu'une zone est attentante à une zone PZ-4, la ligne de démarcation du havre constitue la limite entre les deux zones.

5. The heading before section 11 of the By-law is replaced by the following:

COVERAGES AND SETBACKS

6. (1) Paragraph 11(1)(*c*) of the By-law is replaced by the following:

(*c*) the setback for a building with respect to a type of yard set out in column I of an item of Schedule II shall be not less than the distance set out in the applicable column of columns II to V of that item.

(2) Subsection 11(2) of the By-law is replaced by the following:

(2) Paragraph (1)(*c*) does not apply in respect of

(*a*) the construction or use of any building that is located adjacent to a lot line abutting

(i) a railway right-of-way for which loading facilities are required, or

(ii) a wharf for which loading facilities are required; or

(*b*) the enlargement, reconstruction, repair or renovation of an existing building that was not done in accordance with the requirements of that paragraph at the time it came into force, if the enlargement, reconstruction, repair or renovation does not further reduce the setback of the building.

7. Subsection 12(1) of the French version of the By-law is replaced by the following:

12. (1) Sous réserve du paragraphe (2), la hauteur maximale d'un bâtiment est de 17 m pour la zone PZ-0, la zone PZ-1 et la zone PZ-3 et de 37 m pour la zone PZ-2.

8. The heading before section 14 of the By-law is replaced by the following:

LOADING BERTHS

9. Subsection 17(4) of the By-law is replaced by the following:

(4) No person shall use a driveway for the parking of a motor vehicle for advertising, display or storage purposes.

10. (1) Paragraph 22(1)(*b*) of the By-law is replaced by the following:

(*b*) plans showing the location of buildings to be erected on the lot and the location of all other related facilities, parking areas and garages, loading berths, driveways, signs, signals and landscaping required by this By-law; and

(2) Paragraph 22(2)(*b*) of the By-law is replaced by the following:

(*b*) parking areas, loading areas and driveways, including the surfacing of such areas and driveways;

(2) Paragraph 22(2)(*e*) of the English version of the By-law is replaced by the following:

(*e*) grading, or a change in elevation of the lot, and the disposal of storm water, surface water and waste water from the lot and from any building or work on it;

11. Subsection 24(2) of the Regulations is replaced by the following:

(2) The application shall be accompanied by appropriate plans that show the location of existing buildings on the lot and, if not already submitted, the applicable surveys, plans and

drawings referred to in subsection 22(1).

12. Schedules I and II to the By-law are replaced by the following:

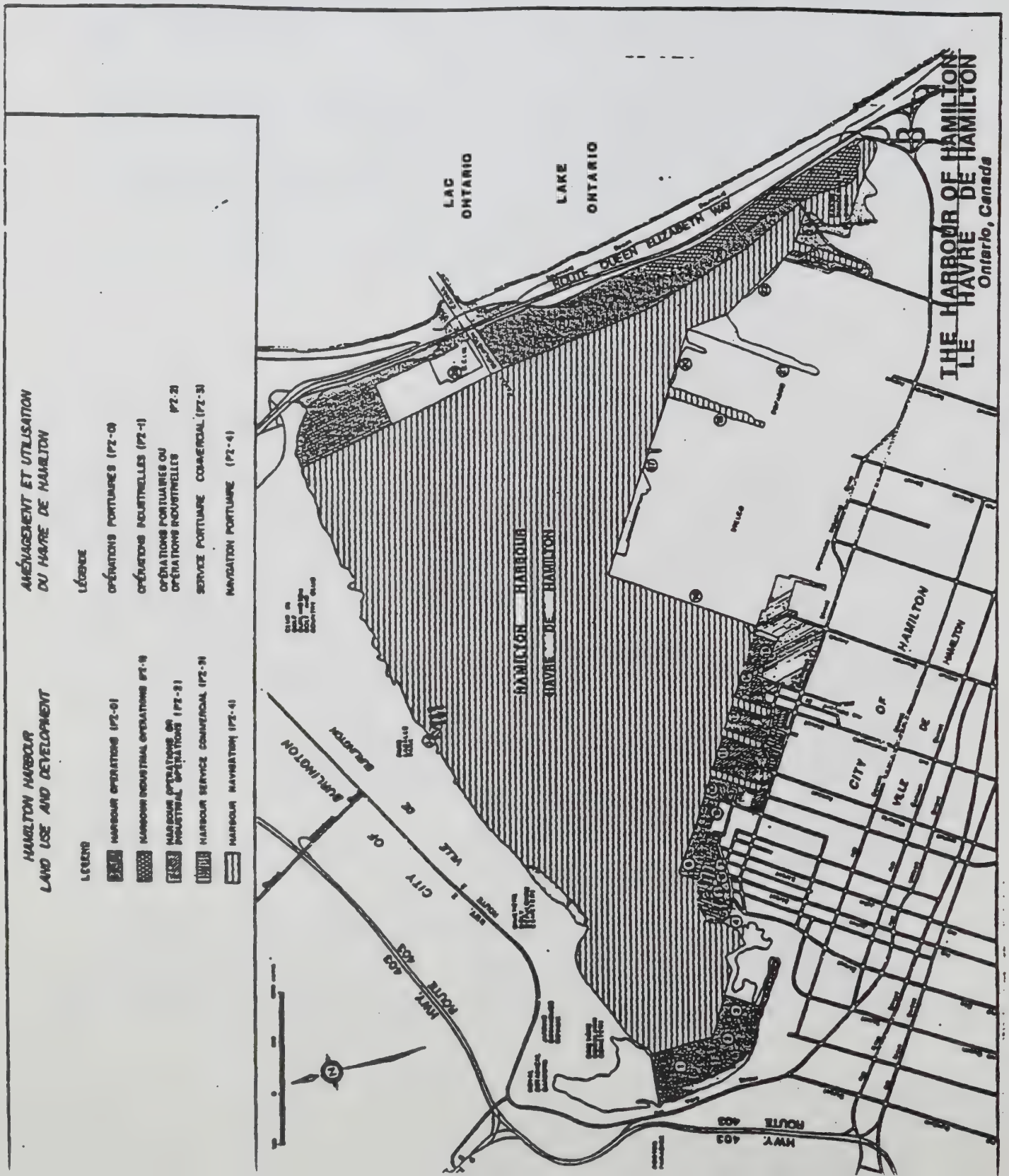
APR 2 1 1999

SCHEDULE I
(Section 4)

ANNEXE I
(*article 4*)

ZONES WITHIN THE LANDS OF THE HARBOUR OF HAMILTON

ZONES DANS LE TERRAIN DU HAVRE DE HAMILTON



SCHEDULE II
(Paragraph 11(1)(c))

REQUIRED YARDS - BUILDING SETBACKS

Item	Column I Type of Yard	Column II Setback (m) PZ-0 Zone	Column III Setback (m) PZ-1 Zone	Column IV Setback (m) PZ-2 Zone	Column V Setback (m) PZ-3 Zone
1.	Front yard on the harbour	6	6	6	6
2.	Front yard on a street	6	6	3	3
3.	Interior side yard	3	3	0	0
4.	Exterior side yard	4.5	4.5	2	2
5.	Rear yard not on an arterial road	3	3	3	3
6.	Rear yard on an arterial road	9	9	9	9

13. Item 2 of Schedule III to the By-law is replaced by the following:

Item	Column I Type of Use	Column II Required Parking Space
2.	Industrial or Warehouse	1 parking space for every 90 m^2 of usable floor area of the industrial building or warehouse or 1 parking space for every two employees working the largest shift at the industrial building or warehouse, whichever is greater

14. The French version of the By-law is amended by replacing the word "exploiter" with the word "aménager" in the following provisions:

(*a*) the portion of section 5 before paragraph (*a*);

(*b*) the portion of section 6 before paragraph (*a*);

(*c*) the portion of section 8 before paragraph (*a*); and

(*d*) subsections 9(1) and (2).

COMING INTO FORCE

15. These Regulations come into force on the day on which they are published in the *Canada Gazette*.

REGULATORY IMPACT ANALYSIS STATEMENT

(This statement is not part of the regulations)

Description

This By-law amends the *Hamilton Harbour Commissioners' Land Use and Development By-Law*. The amendments clarify the intent of the existing By-law and permitted uses in respect of all lands within the Harbour of Hamilton owned by the Hamilton Harbour Commissioners.

More specifically, the amendment clarifies existing definitions and, in some cases, includes new definitions to simplify the text of the By-law. Some amendments correct French terminology in the By-law. The amendments more accurately describe the procedures to be followed before any Hamilton Harbour Commissioners' owned lands may be developed and clarifies the plans to be submitted when the lands are being developed. Lastly, the amendment makes clear that the By-law does not affect private property or private property rights.

Some of the amendments result from questions and issues raised by the Standing Joint Committee for the Scrutiny of Regulations.

Alternatives

Alternatives to this regulation were not considered. The intent of this action is to produce a By-law of greater clarity, certainty and predictability as expressed through minor changes recommended by the Standing Joint Committee for the Scrutiny of Regulations.

Benefits and Costs

These amendments will assist the Commissioners, harbour users and various levels of government in determining the permitted uses and orderly development of Hamilton Harbour Commission owned lands consistent with the objectives for shipping and navigation and harbour development purposes. There are no adverse effects related to these minor amendments nor any impact as to additional cost, market efficiency or employment.

.../2

Consultation

The Hamilton Harbour Commissioners first gave public notice of this initiative in the 1994 Federal Regulatory Plan by stating that based upon experience gained since the By-law was introduced in 1990, certain minor amendments were required.

The Standing Joint Committee for the Scrutiny of Regulations (SJC) has recently asked the Hamilton Harbour Commissioners and Transport Canada to complete the amendment by June 1999.

The amendments have been the subject of discussion at meetings of the SJC. The minutes of this parliamentary committee are public and reflect its concerns and the nature of the amendments.

Compliance and Enforcement

1. Self Regulating
   Compliance with these amendments is obtained by way of enforceable agreements, leases or other instruments before any lands owned by the Hamilton Harbour Commissioners are occupied or used.

2. Issuance of Notice of Compliance
   Use, alteration and occupation, and variances of the use are controlled by a requirement to obtain a Notice of Compliance.

3. Penalty
   Any person found guilty of infringing any of the provisions of this By-law is liable on summary conviction to a fine not exceeding $ 50.00 or to imprisonment for a term of not more than 30 days.

.../3

Contact: R.A. Edwards, P. Eng.
Port Director
The Hamilton Harbour Commissioners
605 James Street North
Hamilton, Ontario
L8L 1K1
Telephone: (905) 525-4330 Facsimile: (905) 528-6282

TRANSPORT & ENVIRONMENT COMMITTEE

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1999 and respectfully recommends:

1. **Parking Regulations on both sides of Hepburn Crescent from Jewel Street to the westerly limit**

   That a "One Hour Parking Time Limit, 8:00 a.m. to 8:00 p.m., Monday to Friday" regulation be implemented on both sides of Hepburn Crescent from Jewel Street to the westerly limit of Hepburn Crescent, and that the City Traffic By-law 89-72 be amended accordingly.

2. **Parking Regulations on the south side of Hunter Street East between East Avenue South and Emerald Street South**

   That a "Three Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation be implemented on the south side Hunter Street East commencing at East Avenue South and extending to a point 131 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

3. **Parking Regulations on the west side of MacNab Street North, north of Vine Street**

   That the two existing "No Stopping - Commercial Vehicle Loading Zone" regulations on the west side of MacNab Street North, commencing 110 feet north of Vine Street and extending 20 feet northerly therefrom and commencing 150 feet north of Vine Street and extending 50 feet northerly therefrom be replaced with a single "No Stopping - Commercial Vehicle Loading Zone" regulation commencing 63 feet north of Vine Street and extending 117 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

4. **Parking Regulations on Ontario Avenue, south of Main Street East**

   That the existing "No Parking" regulation on the east side of Ontario Avenue commencing at Main Street East and extending to a point 134 feet southerly therefrom be shortened such that the regulation commences at Main Street East and extends to a point 113 feet southerly therefrom, and that City Traffic By-law 89-72 be amended accordingly.

5. **Request for a Reserved "Permit Parking" Space for a Disabled Resident at No. 174 Julian Avenue**

That a "Permit Parking" regulation be implemented on the east side of Julian Avenue commencing at a point 266 feet south of Britannia Avenue and extending to a point 34 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

6. **Request for a Reserved "Permit Parking" Space for a Disabled Resident at No. 16 Mars Avenue**

That a "Permit Parking" regulation be implemented on the south side of Mars Avenue commencing 121 feet east of Emerald Street North and extending to a point 18 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

7. **Request for a Reserved "Permit Parking" Space for a Disabled Resident at No. 85 Somerset Avenue**

That a "Permit Parking" regulation be implemented on the north side of Somerset Avenue commencing at a point 222 feet west of Lottridge Street and extending to a point 21 feet westerly therefrom, and on the south side of Somerset Avenue commencing 234 feet west of Lottridge Street and extending to a point 19 westerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

8. **Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident at No. 352 Fairfield Avenue**

That the existing "Permit Parking" regulation on the east side of Fairfield Avenue, commencing at a point 26 feet south of Vansitmart Avenue and extending to a point 20 feet southerly therefrom, be removed, and that the City Traffic By-law 89-72 be amended accordingly.

9. **Declaration of Surplus Property – One-Foot Reserve Annabelle Street, Hamilton – Parts 2 and 3, Plan 62R-14047**

(a) That a one-foot reserve known as Parts 2 and 3, Plan 62R-14047, Annabelle Street, Hamilton be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

(b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

10. **Construction of a Concrete Alley First South of Main Street West, from Thorndale Street South to Norfolk Street South**

(a) That the construction of a concrete alley first south of Main Street West from Thorndale Street South to Norfolk Street South proceed as a local improvement on petition by the owners pursuant to Section 11 of The Local Improvement Act at an estimated gross cost of $39,000, with a City's Share of $27,953.40 and an Owner's Share of $7,137, all as provided in the 1999 portion of the proposed 1999-2008 Capital Budget; and,

(b) That the General Manager, Transportation, Operations and Environment be authorized to construct these works once all the necessary approvals have been received; and,

(c) That the Commissioner of Public Works and Traffic be authorized and directed to prepare the necessary By-law, in a form satisfactory to Corporate Counsel.

11. **Bicycle Network Implementation Bicycle Rack Program**

(a) That the City of Hamilton enter into an agreement with Fine Lines Sign Co. (Hamilton) for the supply and installation of bicycle racks for the period June 1, 1999 to December 31, 2002, subject to the conditions of the agreement being acceptable to the General Manager of Transportation, Operations and Environment and Corporate Counsel; and

(b) That the Mayor and Municipal Clerk be authorized and directed to execute the agreement in a form satisfactory to Corporate Counsel.

12. **Closure of Various City's Share of Services in Subdivision Accounts (CPD-99004)**

(a) That the General Manager, Finance be directed to close the Capital Project accounts as listed on Pages 1 and 2 of Appendix "A" (attached) with accumulative excess funding in the amount of $1,212,071 to be transferred to the original source of funding; and,

(b) That the General Manager, Finance be directed to reduce the estimated gross cost for "Novoco Gardens" (Capital Centre Number 528646014) from $104,240 to $ 88,700.

13. **Bills**

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-21 Being a By-law to amend By-law No. 89-72 to Regulate Traffic.

(b) A-22 Being a By-law to amend By-law No. 89-72 to Regulate Traffic.

Respectfully submitted,

ALDERMAN C. COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Carolyn Biggs
Legislative Assistant
May 3, 1999

Appendix "A"

City of Hamilton

City's Share of Services in Subdivisions

Source of Financing:
Reserve for Services Through Unsubdivided Lands

Capital Centre Number	Council Approval Year/Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available (Overdraft)
For the Year	**1984**			
528446002	Cardinal Heights Addition No 6	1,120.00	745.56	374.44
	Totals For the Year 1984	**$1,120.00**	**$745.56**	**$374.44**
For the Year	**1987**			
528746022	Realign Stone Church - Horning	380,000.00	119,932.19	260,067.81
	Totals For the Year 1987	**$380,000.00**	**$119,932.19**	**$260,067.81**
For the Year	**1988**			
528846003	Abby Hill Farm - Kennedy Court	25,250.00	24,459.75	790.25
528846005	Templemead No 2 Phase 5	73,020.00	58,474.50	14,545.50
528846011	Wellington Chase Phase 2 - roads & fencing	107,680.00	28,161.71	79,518.29
528846015	Templemead No 1 Phase 2	318,380.00	239,273.46	79,106.54
528846018	Oakdale Estates Phase 1	166,870.00	166,871.82	(1.82)
528846020	Oakdale Estates Phase 2	57,780.00	52,340.07	5,439.93
528846021	Oakdale Estates Phase 3	34,400.00	29,578.31	4,821.69
528846025	Almas Gardens Phase 5	75,720.00	75,722.00	(2.00)
528846026	Wisemount Forest Survey	4,280.00	3,794.00	486.00
528847003	Abby Hill Farm Phase 1 - swrs/wtrmns	83,650.00	67,667.02	15,982.98
	Totals For the Year 1988	**$947,030.00**	**$746,342.64**	**$200,687.36**
For the Year	**1989**			
528946004	Oakdale Estates Phase 4	130,750.00	83,840.64	46,909.36
528946007	Stoneridge Estates	188,490.00	167,884.08	20,605.92
528946017	Eastgate Heights	153,460.00	107,793.69	45,666.31
528946018	Chain Link Fence - 50 Fiona Crescent	800.00	0.00	800.00
528947002	Eastgate Heights - swrs/wtrmns	20,000.00	17,673.51	2,326.49
528947003	Anchor Road Industrial Park - swrs/wtrmns	23,070.00	0.00	23,070.00
	Totals For the Year 1989	**$516,570.00**	**$377,191.92**	**$139,378.08**
For the Year	**1990**			
529046015	Aquino Gardens Phase 1	162,730.00	136,373.95	26,356.05
529046021	Beaverton Estates	219,940.00	219,940.00	0.00
529046022	Effort Gardens	194,030.00	0.00	194,030.00
529046024	Coventry Gardens	316,500.00	254,526.38	61,973.62
529046025	Abby Hill Farm Phase 2	41,130.00	37,422.79	3,707.21
529047006	Coventry Gardens - swrs/wtrmns	206,640.00	192,294.94	14,345.06
	Totals For the Year 1990	**$1,140,970.00**	**$840,558.06**	**$300,411.94**
	Totals For Page 1	**$2,985,690.00**	**$2,084,770.37**	**$900,919.63**

Printed: 04/14/99

Appendix "A"

City of Hamilton

City's Share of Services in Subdivisions

Source of Financing:
Reserve for Services Through Unsubdivided Lands

Capital Centre Number	Council Approval Year/Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available (Overdraft)
For the Year	**1991**			
529146023	Peace Manor Subdivision	24,950.00	17,876.43	7,073.57
529146027	Crerar Place	15,130.00	8,617.00	6,513.00
529146031	Orchard Park Estates Phase 1	102,090.00	96,815.43	5,274.57
529147007	Orchard Park Estates Phase 1 - swrs/wtrmns	144,140.00	143,452.62	687.38
	Totals For the Year 1991	**$286,310.00**	**$266,761.48**	**$19,548.52**
For the Year	**1992**			
529246001	Gardens of Rymal Phase 2	378,840.00	252,669.33	126,170.67
529246003	Blossom Estates	118,240.00	0.00	118,240.00
529246006	Rymal Square Estates Phase 2 - rds/wks	13,580.00	10,607.15	2,972.85
529246010	Rymal Square Estates Phase 3	59,630.00	55,040.21	4,589.79
529246012	Edan Heights Phase 3	2,250.00	0.00	2,250.00
529247008	Gardens of Rymal Phase 2 -swrs/wtrmns	31,270.00	18,443.12	12,826.88
529346016	Wisemount Estates Phase 3	16,690.00	14,004.65	2,685.35
529346017	Allison Estates Phase 1	92,060.00	84,724.17	7,335.83
529346018	Orchard Park Estates Phase 2	7,100.00	6,198.96	901.04
529346019	Orchard Park Estates Phase 3	15,760.00	14,192.61	1,567.39
529346021	Highridge South Phase 1	177,390.00	178,820.55	(1,430.55)
529347004	Allison Estates Phase 1 - swrs/wtrmns	94,400.00	94,400.00	0.00
529347005	Highridge South Phase 1 - swrs/wtrmns	52,350.00	52,371.92	(21.92)
	Totals For the Year 1992	**$1,059,560.00**	**$781,472.67**	**$278,087.33**
For the Year	**1994**			
529446003	Wisemount Estates Phase 4	21,750.00	22,243.07	(493.07)
529446007	Highridge South Phase 2	9,870.00	5,505.49	4,364.51
529446011	Wisemount Estates Phase 6	37,880.00	35,831.74	2,048.26
	Totals For the Year 1994	**$69,500.00**	**$63,580.30**	**$5,919.70**
For the Year	**1995**			
529546015	Orchard Park Estates Phase 4	28,850.00	22,882.93	5,967.07
529546016	Estates of Wisemount & Eden Phase 3 - walks	6,000.00	4,371.25	1,628.75
	Totals For the Year 1995	**$34,850.00**	**$27,254.18**	**$7,595.82**
	Grand Totals For All Years	**$4,435,910.00**	**$3,223,839.00**	**$1,212,071.00**

PARKS & RECREATION

COMMITTEE

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SIXTH** Report for 1999 and respectfully recommends:

1. Appointments to Arts Advisory Commission

That Gord Conroy and Bryan Bennett be appointed to the Arts Advisory Commission to fill the 1999 term due to the resignation of two members.

2. 29th International Children's Games, June 8-11, 1999, Medias, Romania

(a) That the Chairperson of the Parks and Recreation Committee (or designate), Dr. Gene Sutton, Vice Chairperson Sports Technical and Ms. Cathie Miller, Vice Chairperson Services for the International Children's Games Millennium Festival be authorized to attend the 29th International Children's Games in Medias, Romania in accordance with City policies to observe the event in preparation for Hamilton's hosting of the Games in the year 2000; and

(b) That all expenses hereto be charged to the International Children's Games Millennium Festival Account Number CH 55201-78211.

3. Sale of Alcoholic Beverages, Mohawk Sports Park – Hamilton Hornets Rugby Football Club

(a) That approval be given of the action taken by the General Manager of Community Services in authorizing the Hamilton Hornet Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park, on May 1, 2 and 8, 1999; and

(b) That approval be granted to the Hamilton Hornet Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on May 15, 27, June 5, 12, July 24, 31, August 14, 21, 28, September 3, 4, 5, 6, 11, 18, 25 and October 17, 1999 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence.

4. **Canadian Association of Chiefs of Police Conference, August 21-26 – Request to land Helicopters in Bayfront Park**

That approval, as required by Section 23 of the Parks By-law 95-126, as amended, be given to the Hamilton-Wentworth Regional Police Department to land helicopters from time to time for demonstration purposes, in Bayfront Park, August 21 to August 26, 1999 inclusive as part of the Canadian Associate of Chiefs of Police Conference.

5. **Canadian Forces Parachute Team Skyhawks- Request for a Parachute Drop – HAAA Grounds, June 18, 1999**

That approval, as required by Section 23 of the Parks By-law 95-126, as amended, be given to the Canadian Forces Parachute Team Skyhawks to perform a parachute drop inside HAAA Grounds on 1999, Friday June 18, subject to the Terms and Conditions of the Special Events Guidelines.

6. **1999 Morgan Firestone Foundation, Request for Outdoor Concert in Bayfront Park- August 10 to 16 or August 25 to 31, 1999**

(a) That permission be granted to Morgan Firestone Foundation and September Seventh Entertainment Limited to use Bayfront Park on either 1999 August 10-16 or 1999 August 25-31 (including set up and tear down) to hold a one day fundraising outdoor concert to benefit the Hamilton Regional Cancer Centre Foundation; and

(b) That permission be granted to hold a beer garden, charging a parking fee of $5 and admission fee to the park of $30-45 per person; and

(c) That all of the above to be in accordance with Parks By-law 95-126, as amended and subject to the Terms and Conditions of the Special Event Guidelines.

7. **Closure of Department of Public Works and Traffic Capital Project Accounts**

That the General Manager of Finance be directed to adjust and close the following Capital Project accounts with net excess funding to be transferred to its original source of funding:

Capital Centre #	Project Description	Authorized Gross Cost	Expended/ Committed to Date	Balance Available	Source Of Financing
CF628643001	Bike paths /Playscapes - Phase I	$333,000.00	$343,961.00	-$13,961.00	Debenture/ Provincial Grant
CF628954007	Parks Development & Redevelopment	$488,000.00	$487,993.56	$6.44	Reserve
CF628754001	Mohawk Sports Park - Utility Building	$198,000.00	$176,560.12	$21,439.88	Debenture
CF629254007	Park Development & Redevelopment (1992)	$1,200,000.00 $10,000.00	$1,210,000.00	0	Reserve Private Donation
CF629354006	1993 Park Development/ Redevelopment	$900,000.00	$899,985.19	$14.81	Reserve
CF629449012	Chedoke Mountain Steps	$378,000.00	$377,987.91	$12.09	Debenture
CF629454008	1994 Park Development/ Redevelopment	$587,000.00	$586,981.79	$18.21	Reserve
CF629543011	Inter-Regional Trail Program (1995)	$235,550.00	$235,550.00	0	Provincial Grant
CF629549022	Carp Barrier/ Fishway -Electrical Feeders	$100,368.60 $110,000.00	$100,368.60	$10,631.40	Federal Grant & C.P.R.
CF629654022	Eastwood Park Restoration	$400,000.00	$400,000.00	0	Region
Balance		$4,939,918.60	$4,819,388.17	$18,161.83	

8. Hamilton Arts Award Programme – Revised policy

(a) That the Guidelines for the Hamilton Arts Award approved by City Council at its meeting of October 29, 1996 be rescinded; and,

(b) That the Revised Policy for the Hamilton Arts Award Programme, attached hereto and marked "Appendix A", be approved.

9. Policy- Delegation of Approval of Events by Permits to General Manager

A. That a policy be established delegating the authority to the General Manager of Community Services to approve by permit, event functions in City Parks that require approval in accordance with the Parks By-law 95-126 as amended, with respect to the following activities:

(a) Part III Games, Sports and Organized Activities
Section 23 Aircraft

Unless authorized by permit, no person shall tether, launch or land any fixed-wing aircraft, helicopter, hot air balloon, hang-glider, ultra-light aircraft or similar conveyance in any park.

(b) Part IV Vehicles
Section 29 Parking

No person shall in any Park:
(a) park or leave a Vehicle except in a Designated Area for parking.

(c) Section 35 Horses

(1) Unless authorized by Permit, no person as owner or person having control of any horse shall permit it to enter or remain in a Park unless:

(a) Within a Designated Area for use by horses; and
(b) It is well broken and wearing a bridle.

(2) No person riding or having control of a horse in any Park shall obstruct, inconvenience or endanger other users of the Park.

(d) Part IV Vehicles
Section 37 Dangerous Animals

No person as owner or person having the control of any animal shall bring into or permit such animal to enter any Park if it may or does constitute a danger to other park users or is reasonably likely to frighten other park users.

B. That this policy is to be implemented in consultation with the Chairperson of the Parks and Recreation Committee and the Ward Aldermen.

10. Multi Pad Indoor Arena /Sports Complex, Adoption of Stage One Evaluation Criteria"- Letters of Interest

(a) That Council adopt the "Stage One Evaluation Criteria – Letters of Interest" as prepared by the Consultant, the JF Group dated 1999 April 1, attached hereto as Appendix "B", and;

(b) That staff be authorized to apply these evaluation criteria to the proposals received from private proponents in order to short-list proposals for the second phase of selection as per the Council approved direction to pursue a public-private partnership to construct and operate a multi-pad arena/sports complex in the City of Hamilton.

11. Proposal to Include City Parks as Possible Vending Service Locations

(a) That the General Manager, Community Services Division and the Commissioner of Public Works and Traffic, be authorized to include designated pilot park locations as possible locations for full service refreshment/snack machines as part of the upcoming Request for Proposal for the supply of soft drink distribution within the Community Services Division; and,

(b) That the criteria as attached hereto and marked in Appendix "C" for the selection of pilot park locations be approved ; and,

(c) That the listing of pilot park sites to be included in the Request for Proposal as attached hereto in Appendix "C" be approved.

12. Construction of Water Spray Pad at Gage Park with Funding Assistance from the Friends of Gage Park and Others

(a) That the City contribute $15,000 towards the construction of the water spray pad at Gage Park estimated to cost $81,500; and,

(b) That the General Manager of Finance recommend the source of financing for the City's $15,000 contribution; and,

(c) That the City make a $10,000 non interest bearing loan to the Friends of Gage Park for the construction of the water spray pad to be funded from the 1998 Park Development and Redevelopment - Capital Account CF629854037 to be repaid by the Friends of Gage Park prior to December 31, 2000; and,

(d) That the Mayor, Clerk and General Manager of Finance be authorized to execute a Financing Agreement for the $10,000 with the Friends of Gage Park in a form satisfactory to the City Solicitor; and,

(e) That all donors of amounts larger than $1,000 be recognized with their names listed on a bronze plaque to be affixed to the wall of the existing building adjacent to the proposed water spray pad.

May 11, 1999

Respectfully Submitted,

ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Tina Agnello
Secretary
May 3, 1999

Appendix "A" referred to in Section 8 of the **SIXTH** Report of the Parks and Recreation Committee for 1999

HAMILTON ARTS AWARD PROGRAMME

A. Policy/Guidelines

The Hamilton Arts Award Programme consists of two activities:
- the presentation of an Arts Award to a Hamilton artist in any discipline, and
- the presentation of Certificates of Recognition to businesses that partner with the arts.

The Arts Award component of the Hamilton Arts Award Programme is intended to:
- focus public attention on a superb artist who has helped make the arts and culture of Hamilton a treasured resource;
- provide community-based recognition of individual artistic achievement;
- inspire artists to continued excellence, greater confidence and a sense of accomplishment;
- heighten public awareness of the range, diversity and creative excellence of Hamilton's artists; and
- emphasize the cultural, social and economic importance of the arts in Hamilton.

The Certificate of Recognition component of the Hamilton Arts Award Programme is intended to acknowledge the contribution of the business sector to the arts in Hamilton.

1.0 Criteria

1.1 Arts Award

Award nominees must be Canadian citizens, landed immigrants or long-term residents of Canada who have demonstrated an ongoing association with Hamilton and who have contributed significantly to the arts and culture of the City.

Award nominees must be professional artists in any of the following fields: architecture, applied design, literature, media arts, music, performing arts and visual arts.

The nature of the professional artistic work of the nominee shall demonstrate excellence and recognized achievements, as well as long-standing dedication to the Hamilton arts community through a history of volunteer work that has benefited the Hamilton arts community.

1.2 Certificate of Recognition

Eligible 'Business Partners in the Arts' should demonstrate proof of at least 2 of the following activities:

a) community involvement,
b) innovative partnerships with the arts community,
c) partnerships which are mutually beneficial to business and the arts,
d) leadership in initiating partnerships with the arts.

1.3 The Arts Award and the Certificate(s) of Recognition are awarded to the nominee (s) who best meet the stated criteria. Awards in each category are given every year.

2.0 Process

2.1 The submitted Nomination Package for the Arts Award shall consist of the following: a completed Nomination Form, a current resume, copies of various forms of public recognition of the nominee's activities (ie. newspaper articles, reviews, etc.), and three letters of endorsement.

2.2 The submitted Nomination Package for the Certificates of Recognition shall consist of the following: a completed Nomination Form, copies of various forms of public recognition of the nominee's activities, two letters of endorsement.

2.3 For each of the Awards in the Hamilton Arts Award Programme, nominations may be made by an individual or by an organization.

2.4 All nominators and nominees will be apprised of the fact that any and all written materials submitted on behalf of the application may be used in all publicity information released by the City of Hamilton in promoting and celebrating the Arts Award Programme and its various recipients. Their acknowledgement constitutes a release of information.

2.5 The Arts Advisory Commission will adjudicate the Arts Award Programme.

2.6 Conflict of Interest - Individuals (and/or their family members) are not eligible to receive either the Hamilton Arts Award or the Hamilton Certificate of Recognition while serving on Boards, Committees or Commissions of the Department of Culture & Recreation, City Of Hamilton.
The Arts Advisory Commission of the City of Hamilton assumes that all persons chosen as members are of unimpeachable integrity and strives to uphold this standard. Therefore, if in the course of the Commission's deliberations, any Commission member becomes faced with a Conflict of Interest, that member is expected to declare such conflict, and withdraw from the selection/voting process.
A Conflict of Interest arises when a Commission member might receive direct or indirect benefit from the selection of a particular candidate.
When the Commission first considers a candidate who might create a Conflict of Interest for a member, the member must declare the conflict. While such a member is not expected to withdraw from a preliminary screening process where all candidates are discussed, the member must withdraw from the final selection and voting process if the person creating the conflict remains a candidate.

2.7 Nominations must be received by the published deadline. All late or incomplete Nomination Packages will not be considered by the Commission.

2.8 The Arts Advisory Commission shall always be the first body to publicly announce the recipients of the Arts Award and the Certificate of Recognition recipients.

3.0 Awards

3.1 The Arts Award is a specially designed medallion by Canadian artist Dora DePedery Hunt. The recipients name is engraved on the reverse.

3.2 The Arts Award recipient also receives a cheque from the City Of Hamilton in the amount of $500.00.

3.3 The recipients of the Certificates of Recognition receive a specially-designed and framed Certificate.

4.0 Presentation

4.1 The Arts Award Programme (including Arts Award and Certificates of Recognition) shall be presented at a joint ceremony to be normally held in October of each year.

4.2 While the actual Awards ceremony may not necessarily occur at City Hall, the Arts Advisory Commission will attend the appropriate Council meeting following the Awards ceremony to inform Council of the recipients of the Arts Award Programme.

4.3 A sub-committee of the Arts Advisory Commission with the assistance of Culture & Recreation staff, are responsible for organizing an event at which the Arts Award and the Certificates of Recognition are presented. The mandate of this sub-committee shall include raising the status of this celebration to an ever higher level, with the objective in mind of a self-supporting gala evening. The Awards ceremony shall occur at a local cultural institution, the location of which shall change from year to year.

4.4 Parks and Recreation Committee and City Council shall be informed that winners names have been selected.

4.5 The guest list is to include: elected officials, members of the Arts Advisory Commission, cultural employees, nominators, sponsors, relevant organizations, nominees, and family, friends and colleagues of the recipients.

5.0 Arts History/Archives

In order to recognize and compile a heritage history for the arts in Hamilton a record which will be available to scholars, students and future generations:

5.1 Maintain a detailed archive on all winners of the award.

April 22, 1999

The above policy/guidelines have been adapted from the following with thanks: the Hamilton Arts Award Programme Guidelines (October 1996); the Toronto Arts Council; the Oakville Arts Council; the Mississauga Arts Council; and the Windsor Arts Council.

Appendix "B" referred
to in Section 10 of the
SIXTH Report of the
Parks and Recreation Committee
for 1999

THE JF GROUP

MEMORANDUM

DATE: April 1, 1999

TO: City of Hamilton Private Partnership Selection Committee for a Multi-pad Indoor Arena/Sports Complex

FROM: John Frittenburg

RE: Stage One Evaluation - Letters Of Interest

Please find attached, criteria descriptions and an evaluation form that have been prepared to assist you in scoring the Letters Of Interest related to a Public/Private Partnership For A Multi-Pad Indoor Arena/Sports Complex. The evaluation criteria reflects the issues and key principles that will be pivotal to the success of the project and are described in the Stage One... Letter Of Interest document. It would be useful to familiarize yourself with Sections 1.3 – Project Scope and Objectives (page 2), Section 3.2 - Required Letter Of Interest Elements (page 7), and Section 3.3 - Selection Criteria (page 8) in advance of evaluating the submissions.

The evaluation form has been structured to accept your score for each criteria, based upon a 5 point scale... (5) excellent, (4) good, (3) satisfactory, (2) marginal, (1) poor, and (0) non existent. You will also note that there is a section for brief *notes* describing the rationale for your score decision... this information may offer helpful reminders when we discuss and tabulate the Committee's collective evaluations. Further, you will see that the form includes a weight column, which could accept a *multiplier,* reflecting the importance of the criteria to the success of the project. The Committee will discuss, and assign as appropriate, a weight factor to each criteria at the beginning of the evaluation meeting.

---

116 Mineola Road West, Mississauga, Ontario, L5G 2C2 (905) 271-2247 Fax (905) 271-7474
e-mail: jfgroup@istar.ca

Depending on the Committee's decision, the weight will be used to calculate the total score for each criteria which in turn will produce the proponent's overall ranking. A short list of proponents, who will be invited to proceed to Stage Two, will be determined at the conclusion of our meeting.

I trust that the evaluation process for the Letters Of Interest is clear and that the form is self explanatory. Please do not hesitate to call if I can provide any further assistance.

Corporate Information

Proponent Corporate Structure and Stability

The ability of the proponent to demonstrate corporate stability and a historically solid financial position will be an important factor in determining the company's (or consortium's) worthiness to proceed to the next stage of the evaluation process. Submissions should include an indication of the proponent's corporate staff and management structure, years in business, relationships and alliances with other firms, funding sources (such as investors), and details that instill a level of confidence that the proponent is committed and able to enter into a long term relationship with the City. In the case of a consortium, the submission should clearly indicate the lead firm, providing a confirmation that the financial obligations that are implied by the concept are protected by the lead firm's covenant.

Proponent Capacity To Undertake The Project

The submission should include an indication of the proponent's capacity to partner with the City on a project of the size and scope of the proposed concept. The proponent team should include individuals or associate firms with the necessary talents, experience, and financial base to undertake all design, construction, financial, and operating elements included in the package. Moreover, the degree to which the lead firm is involved beyond the initial stage of the project may be important, depending upon the nature of the proposed relationship. For example, a design/build/finance/operate proposal may be fronted by a large construction firm. Your score for this criteria should reflect both the capacity of the contractor and the proposed operator.

Previous Experience

Past experience of the team or key firms within the team, in the design, construction, and operations of facilities of similar nature and scale will be an important evaluation factor. Previous experience involving arenas and ancillary sports facilities or other spaces included in the proponent's concept should be considered. An assessment of the skills of individual members of the consortium, separate from the assessment of the demonstrated ability of the firms within the consortium should also help guide the evaluation decision. Consideration of *who are the key players on each team* and their past experience and the proposed types of facilities should be answered. Depth of the team is also an issue. A consortium with good skills represented by only one individual may not be scored as highly as a consortium that includes more than one individual with the appropriate talents.

Basic Concept Elements

Compliance With Project Objectives

Section 1.3 of the Letter Of Interest documentation clearly outlines the City's objectives for the project. At minimum, the development is to provide an additional 75 hours of ice time to accommodate current user group ice requirements. The project is also expected to provide sufficient ice surfaces to accommodate future demand, enhance the recreation and leisure opportunities available to Hamilton's residents, operate in accordance with municipal standards, produce financial benefits to the City, and provide other economic benefits to the municipality. The submission should clearly outline the manner in which the concept and the proponent's plans are capable of fulfilling these objectives.

Quality Of The Concept and Facilities

The submission should describe a basic concept that is sound and provides Hamilton's residents with facilities and programs consistent with the City's traditional recreation service standard. Basic design elements, methods of construction, effective use of the site, and other fundamentals of the concept should be evaluated under this criteria.

Cost Efficiencies, Net Revenue and Operational Effectiveness

Although the expression of interest will provide only the basic elements of the financial proposition, the proponent should identify (even if only in general terms) cost savings, a proportion of net revenues, or operating efficiencies that would accrue to the municipality as a result of the project. For example, a concept that would help the City avoid capital or operating (net) costs normally associated with a municipally developed arena, without compromising facility or service quality, would be viewed favorably. Opportunities to re-allocate existing resources to other service areas (such as staff redeployment) are benefits that could be included in creative partnership propositions. It will be important to focus on the concepts and possibilities rather than searching for specific financial details.

Enhanced Concept Elements

Plans For Additional Facilities

The proponent's submission may include facilities and support amenities beyond the basic arena concept. Ancillary facilities that enhance the project's character and are in keeping with the nature of the project while remaining sensitive to the needs of the facility users should receive favorable consideration. A proposition that demonstrates an understanding of the market conditions and (likely) viability of the supplementary components should received high marks.

Creative Leisure Service Enhancements

A concept that creates a sport and leisure destination and that entices facility patrons to utilize a variety of different project elements should be viewed favorably. Innovative, creative ideas for attracting new and return visitors to the site should be given merit. Further, plans to integrate different types of facility uses within one complex to the extent that the leisure experience is enhanced beyond what would normally occur in a municipal facility should fair well under this criteria.

General

Completeness And Clarity Of Submission

The provision of a well-organized, thoughtful submission that clearly describes the proponent's concept and capabilities to perform the associated responsibilities are important. Submissions should be evaluated based upon their comprehensiveness, thoroughness and clarity.

THE CITY OF HAMILTON - PUBLIC/PRIVATE PARTNERSHIP - FOR A MULTI-PAD INDOOR ARENA/SPORTS COMPLEX
Letters of Interest Evaluation Form

CRITERIA	*WEIGHT*	*Proponent:* _____		
		Score	*Score x Weight*	*Notes*
Corporate Information				
Proponent corporate structure/stability				
Proponent's capacity to undertake the project				
Previous experience				
Basic Concept Elements				
Compliance with project objectives				
Quality of the concept/facilities				
Cost efficiencies/operational effectiveness				
Enhanced Concept Elements				
Plans for additional facilities				
Creative leisure service enhancements				
General				
Completeness and clarity of submission				
TOTAL SCORE				

Note Score each criteria based upon the following scale:*
(5) excellent; (4) good; (3) satisfactory; (2) marginal; (1) poor; (0) non existent

Appendix "C" referred
to in Section 11 of the
SIXTH Report of the
Parks and Recreation Committee
for 1999

CRITERIA FOR PARK INCLUSION

- minimal or no impact on local business and/or organizations currently operating snack bars as a fund raising activity
-
- park not currently containing vending services
- reasonable amount of traffic flow throughout park area to warrant service
- readily available electrical power source
- no negative impact on park or community setting

PILOT PARK LOCATIONS FOR FIXED VENDING SERVICES

Ward 2

Eastwood Park

Ward 6

Mohawk Sports Park/Bernie Arbour

Ward 7

T.B. McQuesten Park

PLANNING & DEVELOPMENT

COMMITTEE

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1999 and respectfully recommends:

1. **Official Plan Amendment and Zoning Application 99-04, by Ivo Civitarese, owner, for a further modification to the "E-1" District for lands located at 180 Walnut Street South.**

   That Zoning Application ZAC-99-04, Ivo Civitarese, owner, requesting an amendment to the Official Plan to establish a new Special Policy Area and a further modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations to permit a restaurant for a maximum of 45 persons within the existing building, for property located at 180 Walnut Street South, as shown on the attached map marked as APPENIDX "A", be denied for the following reasons:

   (a) The proposal would be incompatible with surrounding residential uses given the potential for spillover effects (e.g. noise, parking, litter, etc.); and,

   (b) It conflicts with the approved Corktown Neighbourhoood Plan which designates the subject lands "Singles/Semis/Row - Conservation Retaining Existing Buildings".

2. **Downtown Convert/Renovate-to-Residential Loan Program 34-36 Hess St. S.**

   That a loan under the Downtown Convert/Renovate-to-Residential Loan Program in the amount of forty-six thousand, one hundred and ten dollars ($46,110) to Steve Pocrnic, Harry Guillo Mancini and Ronald Leslie Kovas, c.o.b. as Intrilectual Investments Inc., for conversion of 34-36 Hess Street South into three residential units be approved, subject to the fulfillment of the borrowing requirements of the Downtown Convert/Renovate-to-Residential Loan Program.

3. **1999 Annual Conference of the Association of Committees of Adjustment**

That the Chairman of the Committee of Adjustment or his nominee and another member of the Committee of Adjustment be authorized to attend the 1999 Annual Conference of the Ontario Association of Committees of Adjustment and Consent Authorities to be held for four days, 1999 June 6 - 9, in Richmond Hill Ontario at an expense not to exceed $940 each to be charged to account CH55201-10010, Legislative Travelling.

4. **Demolition Permit- 739 Upper Paradise Rd**

That the Building Commissioner be authorized to issue a demolition permit for 739 Upper Paradise Road in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

5. **Removal of Part Lot Control, "Sandrina Gardens – Phase 2**

(a) That approval be given to Part Lot Control Application 99-03, DiCenzo Construction Company Ltd., owner, to remove part-lot control for Lots 59, 60, 61, 62, 65, 70, 71 and 72, Registered Plan 62M-780, "Sandrina Gardens - Phase 2", known municipally as 135, 131, 130 and 134 Sulmona Drive, 177 Assisi Street, 115, 111, and 107 Terni Blvd., for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix "B"; and,

(b) That the appropriate by-law, to remove part lot control from Lots 59, 60, 61, 62, 65, 70, 71 and 72, Registered Plan 62M-780, "Sandrina Gardens - Phase 2", be enacted by Council; and,

(c) That the exempting by-law be restricted to a 1 year effective time period to expire on June 1, 2000; and,

(d) That following the enactment of this by-law, the Director, Development Approvals, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

6. **Bills:**

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-25 A By-law to Remove Land within the "Sandrina Gardens, Phase 2" Subdivision, Plan 62M-780 from Part Lot Control.

(b) C-26 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 11 Cheever Street.

(c) C-27 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 98-205 Respecting Lands Located East of West 5th Street and North of Stone Church Road West, Known Municipally as 965 West 5th Street.

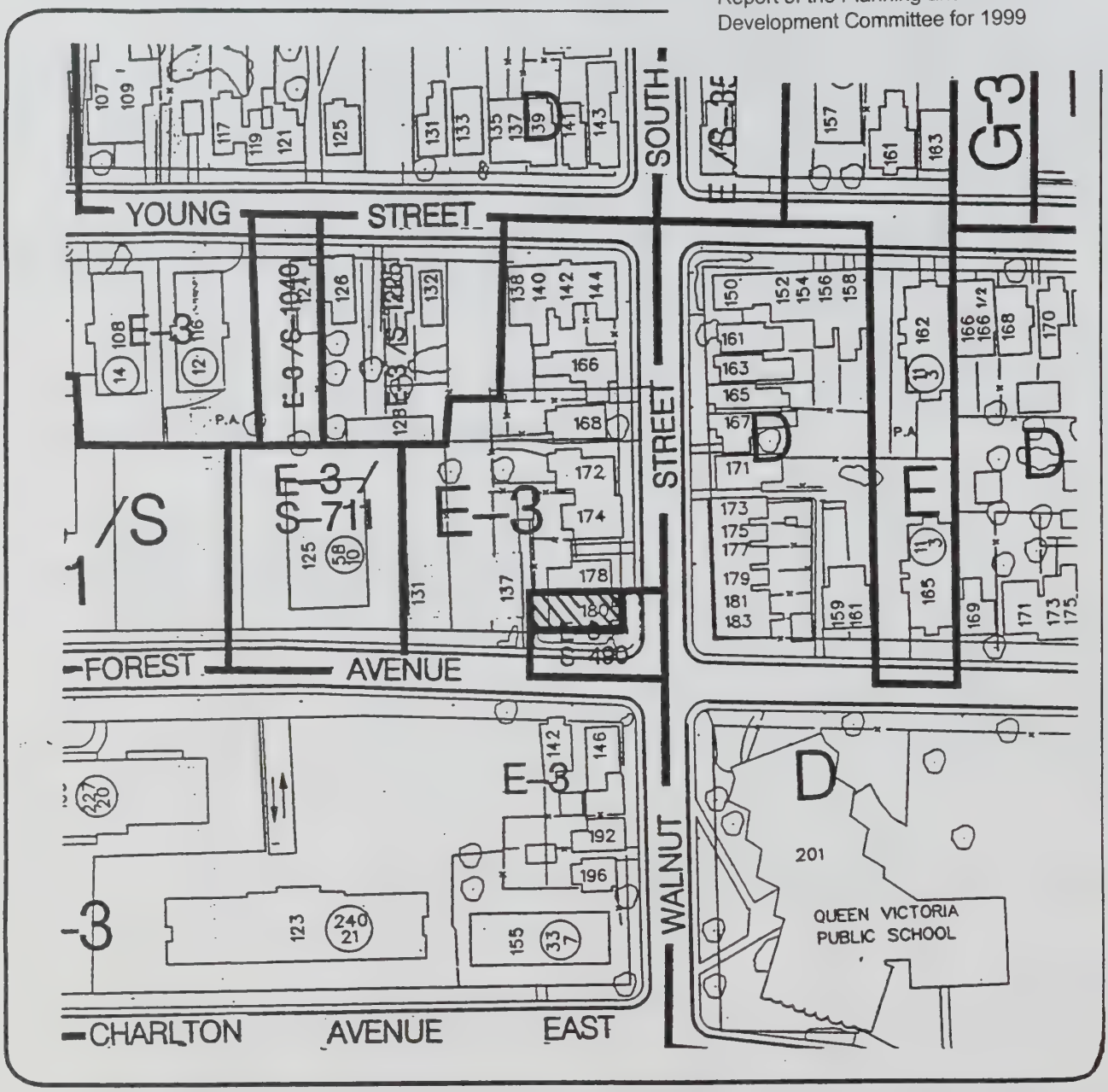
(d) C-28 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 803, 819, 823, 865, and 871 West 5th Street.

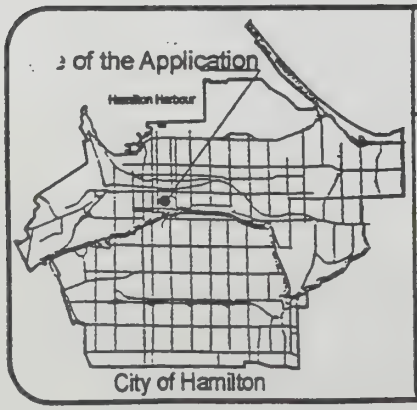
Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE

Tina Agnello, Secretary
May 5, 1999

Appendix "A" referred to in
Section 1 of the ELEVENTH
Report of the Planning and
Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

Subject Lands

Reference file: ZAC-99-04

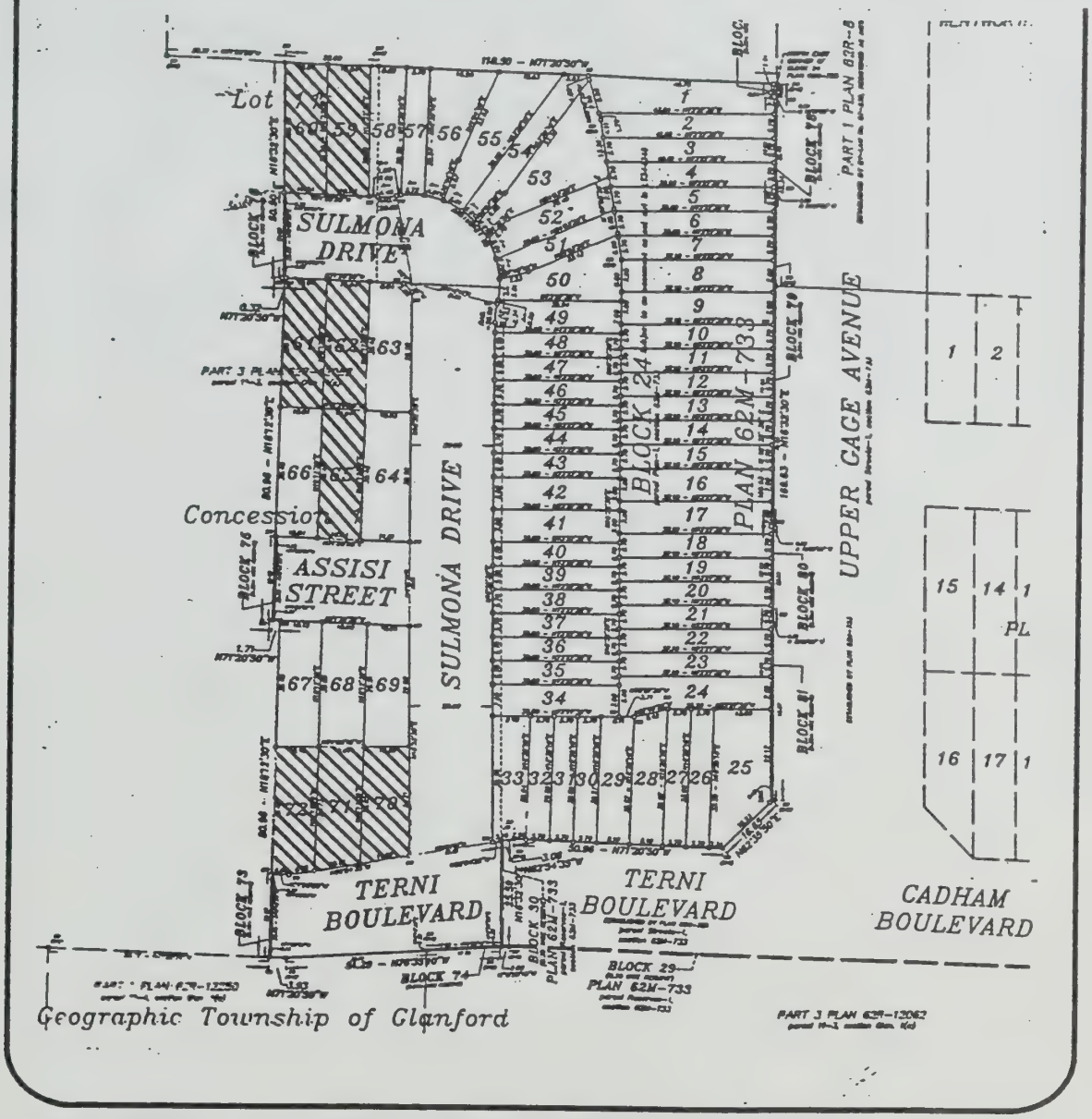
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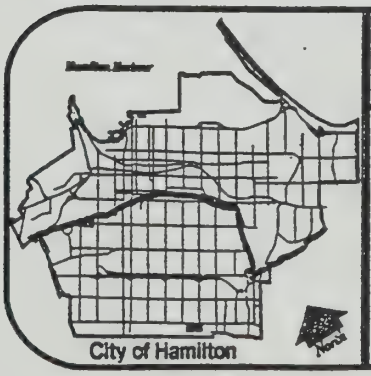
Date: February, 1999

Technician: B. B.

North

Appendix "B" referred to in
Section 5 of the ELEVENTH
Report of the Planning and
Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

SUBJECT LANDS

Reference file:	PLC-99-03
Scale	Not to Scale
Date	April, 1999
Technician:	FAB
	APPENDIX A

FINANCE AND ADMINISTRATION COMMITTEE

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance and Administration Committee presents its **NINTH** Report for 1999 and respectfully recommends:

1. Active Military/Reserve Service & Military Training Leave of Absence Policy (C-009-99/HUR99011)

(a) That the policy on Active Military/Reserve Service & Military Training Leave of Absence for the City of Hamilton and the Region of Hamilton-Wentworth, attached herewith and marked Appendix "A", be approved; and,

(b) That the existing Military Service Leave of Absence Procedures for the City of Hamilton approved on September 12, 1939, attached herewith and marked Appendix "B" be rescinded; and,

(c) That the General Manager, Human Resources report back to the Joint Meeting session in one year's time on the effects of this policy to the Corporation.

2. Amendment to City of Hamilton Fireworks By-law 90-198

That City of Hamilton Fireworks By-law 90-198 be amended to allow for the following changes:

(a) To change the authority to issue all permits made for the display of fireworks from the Manager of the License Division to the General Manager, Community Services; and,

(b) To repeal the appeal section of the By-law.

3. Interim Recommendation regarding vehicle purchases and Fire Department restructuring

(a) That the Fire Chief be authorized to negotiate changes to the acquisition of emergency fire apparatus from approved suppliers as approved by City Council on January 27, 1998 and on November 10, 1998 in a form satisfactory to Corporate Counsel; and

(b) That the purchase order to Smeal Fire Apparatus Co. be increased by an amount not to exceed $50,000; and

(c) That the purchase order to Almonte Fire Trucks Ltd. be increased by an amount not to exceed $450,000; and

(d) That the Fire Chief be authorized to start the process for the acquisition of a rapid response vehicle at an estimated cost of $150,000, to support the changes described in this report ; and

(e) That the Finance and Administration Committee recommend the method of financing the above changes.

4. Tax Applications processed under Section 443, The Municipal Act

That realty and business tax applications processed under Section 443, of The Municipal Act, Chapter 45, Statutes of Ontario, 1990 in the amount of $33,643.63 be approved and charged to CH55307-24104 Tax Remissions.

5. Message of Support – Kinsmen Kinette Publication

(a) That the City provide a message of support for the Kinsmen Kinette Publication at a cost of $250.; and,

(b) That funding for this expenditure be charged to the Advertising and Promotion Account No. CH56302-12001

6. FCM Board of Directors

(a) That the Federation of Canadian Municipalities be advised that Hamilton City Council nominates Alderman B. Charters as its nominee for consideration as a member of the National Board of Directors of the Federation of Canadian Municipalities; and,

(b) That City Council agrees to meet the costs of its nominee to attend meetings of the FCM Board of Directors for the year June 1, 1999 to June 30, 2000.

7. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

D-12 A By-law to amend By-law No. 90-198 respecting Fireworks

D-13 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE

Susan K. Reeder
Secretary
May 4, 1999

May 11, 1999

CITYOF HAMILTON/REGION OF HAMILTON-WENTWORTH HUMAN RESOURCE SERVICES POLICY & PROCEDURE MANUAL

SECTION: ***Compensation – Benefits Administration***	
SUBJECT: ***Active Military/Reserve Service & Military Training Leave of Absence Policy***	***PROCEDURE NO.: 3.26***
ELIGIBILITY: ***All Employees***	

Non paid leave of absence will be granted to all City/Regional employees who are called to active military/reserve service or military training based on the following provisions:

- *Leaves of absence will also include reasonable travel time;*
- *Employees will suffer no loss of service or seniority during the period of the leave;*
- *Such leaves will not affect vacation entitlement;*
- *Employees will be entitled to all benefits during the leave, subject to co-insurance provisions, with the exception of WSIB, sick bank payments, short term disability or long term disability; and*
- *Employees will be eligible for a top-up of their military training pay to the equivalent of their regular net pay for the first ten working days of active military training leave of absence per calendar year. Top-up pay will be reimbursed to the employee upon their return to work from active service provided that the appropriate documentation is submitted.*
- *Employees will, subject to the approval of the Employer, be granted a leave of absence, without pay, for the purpose of volunteering for active service for the purpose of disaster relief or other such duties as they occur, whenever military volunteers are requested. Such decisions shall not be made in arbitrary manner.*

Approval Date:

Revision Date:

Cross Reference:

Appendix "B" referred
To in Section 1 of the
Ninth Report for 1999
Of the Finance and
Administration Committee

CITY OF HAMILTON
HUMAN RESOURCE SERVICES
POLICY & PROCEDURE MANUAL

SECTION: ***Compensation – Benefits Administration***	
SUBJECT: ***Military Service Leave of Absence Procedures***	***PROCEDURE NO.: 3.26***
ELIGIBILITY: ***All Employees***	

That leave of absence be granted to all City employees desiring to enlist for military service; that their positions be retained in the City's employ; that they be assured of their seniority during the time of their absence; that they be granted one month's pay at the date of leaving the City's employ for such military service; and that their present positions be filled by temporary appointments only, and that every enlistment of a Civic employee be reported to City Council by the Department/Division Head in which such employee has been engaged so that a record of the person's employment and enlistment may be preserved.

Approval Date: *1939 September 12*

Revision Date:

Cross Reference:

CITY OF HAMILTON LICENSING COMMITTEE

May 11, 1999

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **FOURTH** Report for 1999 and respectfully recommends:

1. Taxicab Driver Licence – Michael Magee

That the Taxi Cab Driver Licence of Michael Magee be revoked due to Mr. Magee's criminal record.

Confidential background information provided to members of City Council under separate cover.

Respectfully Submitted,

ALDERMAN F. EISENBERGER, CHAIRMAN
CITY OF HAMILTON LICENSING COMMITTEE

Stella Glover, Secretary
April 27, 1999

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

TUESDAY MAY 11, 1999
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL

BILLS

Bill No. A-21

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 25 (Parking Time Limits)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Hepburn	Both	Jewel to the westerly limit of Hepburn	1 hr	8 am - 8 pm	Mon - Fri
Hunter	South	East to 131 feet easterly	3 hr	8 am - 8 am (24 hrs)	Mon - Sun"

2. That **Schedule 26 (No Parking Areas)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Ontario	East	Main to 113 feet southerly	Anytime"

and by deleting therefrom the following item, namely:-

"Ontario	East	Main to 134 ft. south	Anytime"

3. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby amended by adding thereto the following items, namely:-

"Julian	East	commencing 266 feet south of Britannia and extending 34 feet southerly therefrom	Anytime
Mars	South	commencing 121 feet east of Emerald and extending 18 feet easterly therefrom	Anytime
Somerset	North	commencing 222 feet west of Lottridge and extending 21 feet westerly therefrom	Anytime
Somerset	South	commencing 234 feet west of Lottridge and extending 19 feet westerly therefrom	Anytime"

and by deleting therefrom the following item, namely:-

"Fairfield	East	commencing 26 feet south of Vansitmart and extending 20 feet southerly therefrom	Anytime"

4. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

5. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 11th day of May 1999.

MUNICIPAL CLERK MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

BEING A BY-LAW TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 30 (Commercial Vehicle Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"MacNab	West	117 feet	63 feet north of Vine	Anytime"

and by deleting therefrom the following items, namely:-

"MacNab	West	20 ft.	110 ft. north of Vine	Anytime
Macnab	West	50 ft.	150 ft. north of Vine	Anytime"

2. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

3. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 11th day of May 1999.

MUNICIPAL CLERK MAYOR

Bill No.C-25

The Corporation of the City of Hamilton

BY-LAW NO. 99 —

To Remove
Land within the "Sandrina Gardens – Phase 2" Subdivision, Plan 62M-780
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

(7) **Designation of lands not subject to part lot control. --** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law. --** A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval. --** An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law. --** A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period. --** The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal. --** The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

AND WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 95-155, being a By-law to Remove Land within the "Sandrina Gardens – Phase 2" Subdivision, Plan 62M-790 from Part Lot Control, on August 29, 1995;

AND WHEREAS in accordance with Section 2.(c) of By-law No. 95-155, By-law No. 95-155 expired on September 1, 1997;

AND WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 97-212, being a By-law to Remove Land within the "Sandrina Gardens – Phase 2" Subdivision, Plan 62M-790 from Part Lot Control, on October 1, 1997;

AND WHEREAS in accordance with Section 2.(c) of By-law No. 97-212, By-law No. 97-212 expired on October 1, 1998;

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

   Lots 59, 60, 61, 62, 65, 70, 71 and 72, Registered Plan Number 62M-780, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by the Commissioner of the Regional Environment Department.

   (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

   (c) This By-law shall expire on June 1, 2000.

PASSED this 11th day of May A.D. 1999.

Municipal Clerk Mayor

DiCenzo Construction Company Ltd., owner
(1999) 11 R.P.D.C. 5., May 11
PLC-99-03

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 11 CHEEVER STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-12 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

(a) notwithstanding Section 10.(4)(i) of Zoning By-law No. 6593, for a single family dwelling a width of at least 7.79 metres (25.56 feet) and an area of at least 235.60 square metres (2,536.0 square feet) shall be provided and maintained; and,

(b) notwithstanding Section 18A.(7b) of Zoning By-law No. 6593, the finished level of the garage floor shall be a minimum of 0.1 metre above grade.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1419.

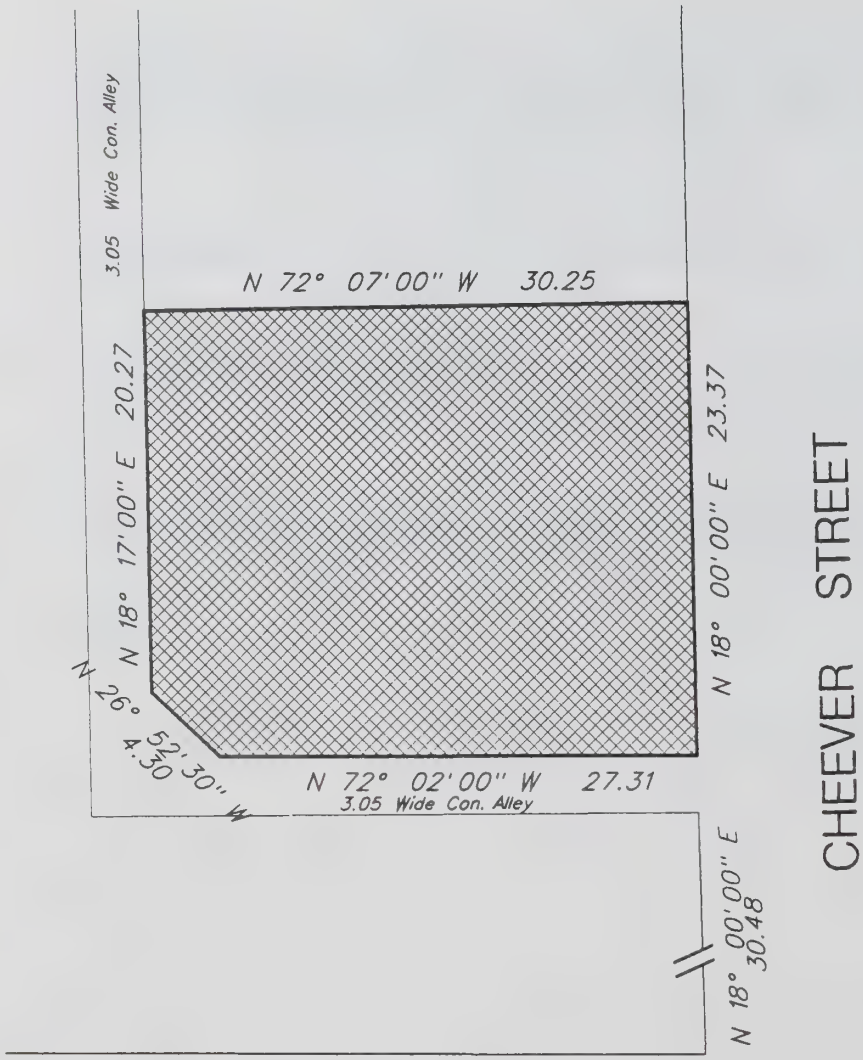
5. Sheet No. E-12 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1419.

6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 11th day of May A.D. 1999

MUNICIPAL CLERK MAYOR

(1998) 20 R.P.D.C. 3, November 24
Francesco Agostino, Prospective Owner
ZAC-98-37



NOTE: All dimensions are in metres

This is Schedule "A" to By–Law No. 99–.....
Passed the ..... day of ..... , 1999.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of By–Law No. 99–____

to Amend By–Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

"G–3" (Public Parking Lots) District to "D" (Urban Protected Residential–One and Two Family Dwellings, etc.) District modified

North	Scale	Reference File No.
	NOT TO SCALE	ZAC–98–37
	Date	**Drawn By**
	December 1998	B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 98-205

Respecting:

LANDS LOCATED EAST OF WEST 5TH STREET AND NORTH OF STONE CHURCH ROAD WEST, KNOWN MUNICIPALLY AS 965 WEST 5TH STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-205 on the 9th day of July 1998 to change the zoning and to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 9th Report of the Planning and Development Committee at its meeting held on the 13th day of April 1999, recommended that Zoning By-law No. 6593, as amended by By-law No. 98-205, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 1.(b) of Zoning By-law No. 98-205 is hereby repealed in its entirety and the following substituted therefor:

"(b) by changing from **"AA"** (Agricultural) District to **"C"** (Urban Protected Residential, etc.) District modified, those lands comprised in Block "2","

2. Section 2. of By-law No. 98-205 is hereby repealed in its entirety and following substituted therefor:

"2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9. of Zoning By-law No. 6593, applicable to the lands comprised in Block "2", are amended to the extent only of the special requirements that:

(a) notwithstanding Section 9.(3)(i) of Zoning By-law No. 6593, the following shall apply:

(i) a front yard having a depth of not less than 4.5m to the main wall of the dwelling shall be provided and maintained;

(ii) a front yard having a depth of not less than 6.0m to the garage or carport shall be provided and maintained; and,

(b) notwithstanding Section 9.(4) of Zoning By-law No. 6593, for a corner lot every lot shall have a width of at least 12.0 metres and an area of at least 350.0 square metres within the district."

3. Schedule "A" of Zoning By-law No. 98-205 is hereby repealed and replaced with Schedule "A", attached hereto and forming part of this by-law, in accordance with Section 1 of this by-law and Section 1(a) of By-law No. 98-205.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2 of this by-law.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1406a.

6. Sheet No. W-9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1406a.

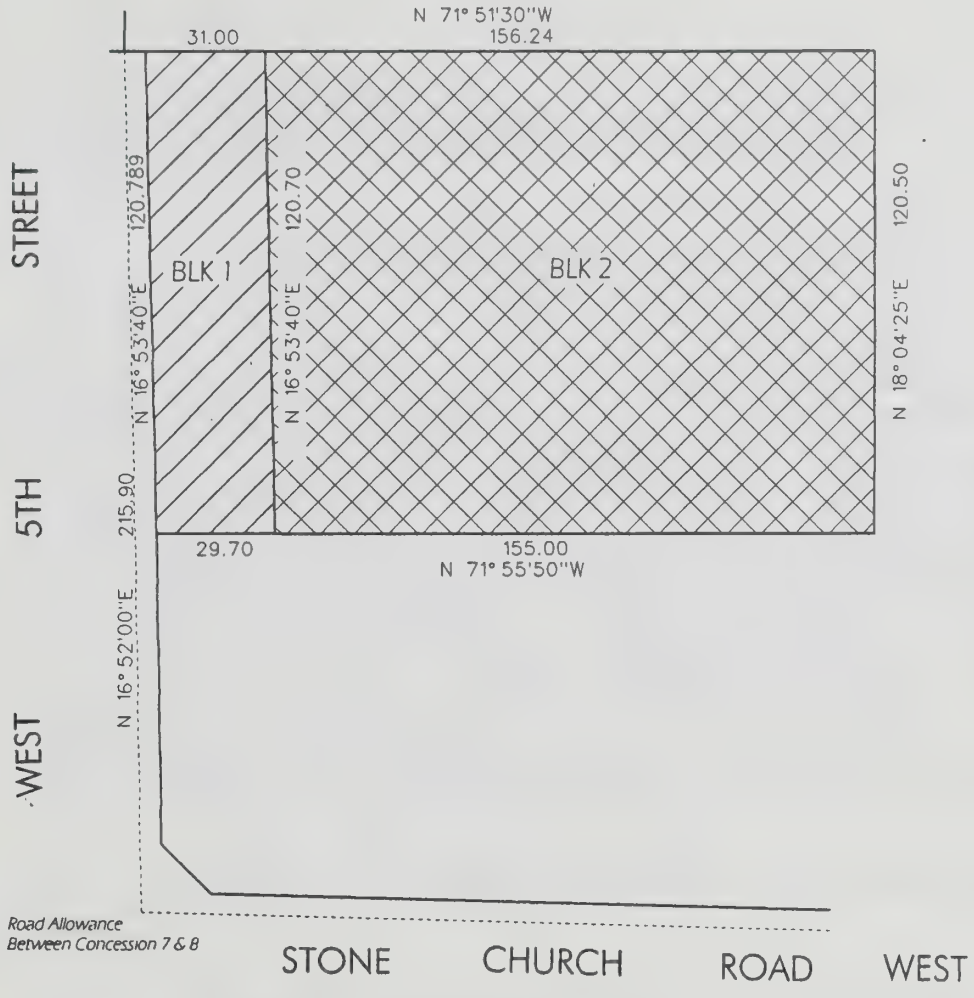
7. In all other respects, By-law No. 98-205, is hereby confirmed, unchanged.

8. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 11th day of May A.D. 1999

MUNICIPAL CLERK MAYOR

(1999) 9 R.P.D.C. 2, April 13
Valery Construction Company Limited, Owner
ZAC-99-06



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-.....
Passed the ..... day of ....., 1999.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of By-Law No. 99-____

to Amend By-Law No. 6593

Planning and Development Department

Change in Zoning from:

BLK 1 — "AA" (Agricultural) District to "C" (Urban Protected Residential) District.

BLK 2 — "AA" (Agricultural) District to "C" (Urban Protected Residential) District, modified.

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-99-06
	Date	Drawn By
	April, 1999	J.Sims

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT
MUNICIPAL NOS. 803, 819, 823, 865 and 871 WEST 5th STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District those lands comprised in Block "1"; and

(b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, those lands comprised in Block "2"; and

(c) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District modified, those lands comprised in Block "3"; and

(d) by changing from "AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District modified, those lands comprised in Block "4"; and

(e) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, those lands comprised in Block "5",

the extent and boundaries of each of which Blocks "1", "2", "3", "4" and "5" are shown on a plan hereto annexed as Schedule "A".

2. The Freeway Standards regulations, as contained in Section 6 of Zoning By-law No. 6593, applicable to the lands referred to in Section 1(b), (c) and (d) are amended to the extent only of the special requirement that,

(a) notwithstanding Section 6.(19)(a) of Zoning By-law No. 6593, no residential structure shall be located closer than 12.5 metres from the Mountain Freeway right-of-way.

3. (a) The 'H' symbol applicable to the lands comprised in Block "4" and Block "5" shall be removed conditional upon the availability of all such municipal sewers servicing the subject lands as the City deems necessary.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the land referred to in Section 1 may at such time proceed in accordance with the "C" District provisions, subject to the special requirement referred to in Section 2 of this by-law.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Freeway Standards regulations, subject to the special requirement referred to in Section 2.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1424.

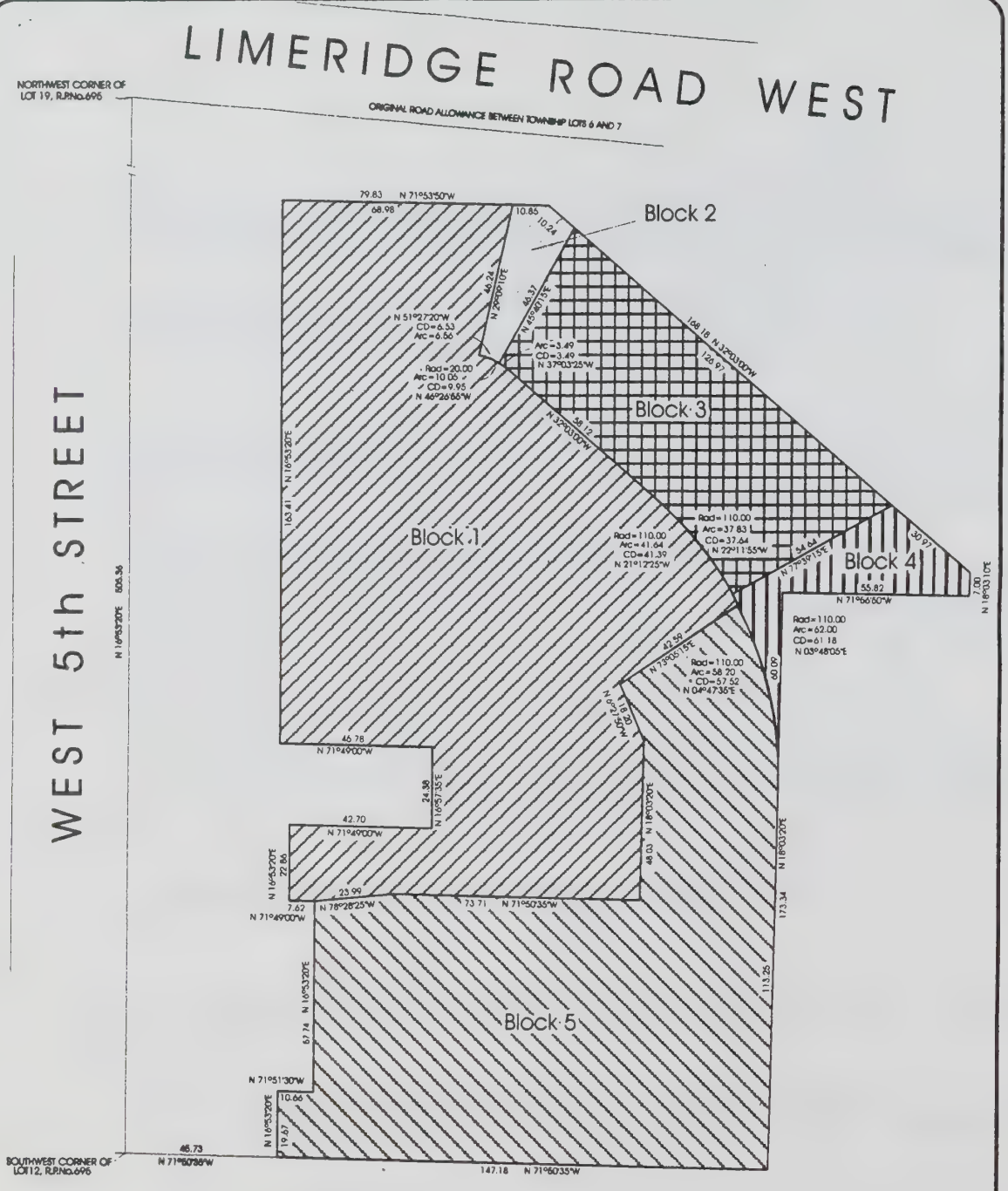
6. Sheet No. W-9B of the District Maps is amended by marking the lands referred to in Section 1 of this by-law, S-1424.

7. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 11th day of May A.D. 1999

MUNICIPAL CLERK MAYOR

(1999) 4 R.P.D.C. 2.B., February 23
1125814 Ontario Inc. (Silvestri Investments),
Prospective Owner
Amended ZAC-98-29



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. .....
Passed the ..... day of ..... , 1999.

..... Clerk

..... Mayor

City of Hamilton

Schedule A

Map Forming Part of By-Law No. .....

Planning and Development Department

Legend

Change in zoning from:

Block 1	"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District
Block 2	"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified
Block 3	"AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, modified
Block 4	"AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District
Block 5	"AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District

North	Scale	Reference File No.
	Not to Scale	ZA-98-29
	Date	Drawn By
	APRIL 1999	D.L.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

To Amend

By-law No. 90-198

Respecting:

FIREWORKS

WHEREAS By-law No. 90-198 was enacted on June 26, 1990 to regulate the sale and setting off of any class or classes of fireworks as authorized by paragraphs 37 and 38 of Section 210 of the Municipal Act, R.S.O. 1990, c. M45

AND WHEREAS Council, on May 11, 1999, in adopting Section 2 of the Ninth Report for 1999 of the Finance & Administration Committee, authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 12, subsection (2) of By-law 90-198 is repealed and the following substituted therefor:

   (2) "No person shall set off or shall hold a display of Display fireworks without a PERMIT issued by the General Manager of Community Services for the City of Hamilton or his designate."

2. Section 13, subsection (1) of By-law 90-198 is repealed and the following substituted therefor:

   (1) "Any person eighteen years of age or over, who is duly authorized under the Explosives Act (Canada) and approved thereunder as a Display Fireworks Supervisor by the Chief Inspector of Explosives, may make application in writing to the City of Hamilton, General Manager of Community Services or his designate. "

3. Section 13, subsection (3)(f) of By-law 90-198 is repealed and the following substituted therefor:

   (3)(f) "such further and other information as the General Manager of Community Services or his designate, after consultation with the Chief of Police and the Fire Chief, may require."

4. Section 15, subsection (1) of By-law 90-198 is repealed and the following substituted therefor:

   (1) "Before signing and issuing the Permission of Local Authority form, the General Manager of Community Services or his designate shall obtain a report from the Fire Chief and from the Chief of Police."

5. Section 15, subsection (2)(a) of By-law 90-198 is repealed and the following substituted therefor:

   (2) "The General Manager of Community Services or his designate for the City of Hamilton shall not sign the Permission of Local Authority form where,

      (a) a report from the Chief of Police under subsection (1) indicates that the Applicant has, within a period of ten (10) years immediately prior to the date of application, a record of criminal conviction for improper or careless use,

or wilful misuse, of fireworks or explosives, or arson or an arson-related conviction, or a record of conviction under this by-law or any of its predecessors, or a report from the Fire Chief under subsection (1) indicates that

the proposed site, is not suitable for a display of Display fireworks, or"

6 Section 15, subsection (3) is hereby repealed and the following substituted therefor:

(3) Where the Applicant has submitted a completed and correct application under Section 13 and the provisions of Section 15(1) have been satisfied, subject to Section 15(2), the General Manager of Community Services or his designate shall sign and issue the Permission of Local Authority."

7. Section 15, subsections (4), (5), (6), and (7) of By-law 90-198 are hereby repealed.

8. Section 29 of By-law 90-198 is hereby repealed and the following substituted therefor:

29 "Where any holder of a PERMIT fails to comply with a request to inspect pursuant to Section 20(9), or fails to comply with an Order to Comply issued pursuant to Section 28, in addition to any other remedy or penalty under this by-law, the General Manger of Community Services or his designate shall immediately revoke their PERMIT and shall forthwith cause them to be served with a written notice of such revocation and upon service of the notice of revocation the PERMIT holder shall forthwith surrender the PERMIT to the City.

9. Section 30 of By-law 90-198 No. is hereby repealed and the following substituted therefor:

30 "The following person are authorized to enforce this by-law:

(a) the General Manager of Community Services or his designate or any authorized by-law enforcement officer for the City; and"

10. Schedule 1 to Schedule "A" is hereby repealed and the attached Schedule 1 to Schedule "A" substituted therefor.

11. Schedule D is hereby repealed and the attached Schedule "D" substituted therefor.

12. In all other respects, By-law No. 90-198 is hereby confirmed, unchanged.

PASSED this 11th day of May 1999, A.D.

MUNICIPAL CLERK MAYOR

Schedule I
To
Schedule "A"

Hamilton-Wentworth Regional Police
Consent to Disclosure of Personal Information

I, (Surname) _____ (Given Name) _____
(Please Print)

(Maiden name if applicable) _____

(Address) _____ (Postal Code) _____

(Provide previous address if you did not reside at the above address for more than five years)

(Previous Address) _____

(DOB) Year _____ (Month) _____ (Day) _____ (Sex) _____ (Phone Number)_____

(Drivers Licence Number) _____

Hereby authorize The Hamilton-Wentworth Regional Police Force to release to:

The General Manager of Community Services and/or his designate, regarding City of Hamilton fireworks By-law No. 90- , S.15(3) (a), any information pertaining to me, including records of conviction, that may be contained in the records of the Hamilton-Wentworth Regional Police Force,

OR SPECIFICALLY: arson or arson related convictions and/or incidents, improper or careless use of fireworks convictions and/or incidents.

WAIVER AND RELEASE:

I hereby release and forever discharge The Hamilton-Wentworth Regional Police, its agents and assigns, and all officers of the said Force, from any and all actions, causes of actions, claims and demands for damages, loss or injury, howsoever arising, which may hereafter be sustained by myself, and waive all rights thereto.

Signed this _____day of _____ 19_____

_____ _____
Signature of APPLICANT Signature, organization witness

Where required for LICENCING APPLICATION PURPOSES, I hereby authorize the authority of this document to be valid for a period of SIX MONTHS form the above date:

_____
Signature of applicant

FOR POLICE USE ONLY DISPOSITION: (CLERK) _____ (DATE) _____

COPIED AND RETURNED:

45X

SCHEDULE "D"
To
BY-LAW NO.90-

The Corporation of the City of Hamilton
Hamilton, Ontario

FORM 2

ORDER TO COMPLY

ISSUED TO FIRE WORKS SUPERVISOR	**LOCATION**
NAME	**DATE**
ADDRESS TELEPHONE NO.	**TIME**
SPONSORING ORGANIZATION	

In accordance with the City of Hamilton Fireworks By-law No. 90- , an inspection was conducted and the following violations were noted:

PART	SECTION	DETAILS OF VIOLATION

If the above violations are not corrected by (date/time)_____
You will be prosecuted for failure to comply with the requirements of the Firework's By-law.

Section 31, of the City of Hamilton Fireworks By-law, reads as follows:

Every person who contravenes and provision of this By-law is guilty of an offence and on summary conviction is liable to a fine of not more than $2,000.00 exclusive of costs.

N.B. In addition to any other remedy or penalty under this by-law, Section 29 provides that upon failure of any holder of a PERMIT to comply with an Order to Comply, the Manager of Community Services SHALL revoke the PERMIT.

RECEIVED BY	DATE	OFFICER/INSPECTOR	DATE

DISTRIBUTION:
1. Fireworks Supervisor
2. General Manager of Community Services Division and/or designate
3. Issuing Authority
4. Energy, Mines, and Resources Canada, Explosive Branch - Attention: Chief Inspector of Explosives

Bill No. D-13

BY-LAW NO. 99 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11TH DAY OF MAY , 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11th day of May A.D. 1999.

MUNICIPAL CLERK MAYOR

CA4 ON HBC A05
A31
1999

May 20, 1999

URBAN
MUNICIPAL

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, May 25, 1999
7:30 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz
Municipal Clerk

AGENDA

1. ***National Anthem*** *played on the harp by Lauren S. Hill.*

2. ***Opening Prayer:*** *Rabbi Baskin, Anshe Sholom Temple*
St. Nicholas Ukrainian Catholic Parish

3. ***Certificates of Recognition:***

   (a) ***Coronation Park Housing Company Ltd. Retiring Board Members***

   Reverend Dave Stephens
   Reverend Roger Peterson
   Eve Wilson
   Jean Weaymouth
   Bill Walker
   Brian Peterson
   Reverend Jim Managhan
   Ken Gilmour
   Bob MacInnis

   (b) *Michael Belshaw, Hamilton Highschool Science Fair Winner*

* ***Nominating Committee.***

4. ***Adoption of the minutes of the meetings held:***

   (a) *May 11, 1999 (Regular Meeting)*
   (b) *May 18, 1999 (Special Meeting)*

5. ***Correspondence.***

6. ***Reports of the Standing Committees:***

   (c) Planning and Development Committee.
   (d) Finance and Administration Committee.
   (e) Nominating Committee.

7. ***Notices of Motion for next meeting.***

8. ***Appointment of an Acting Mayor for the month of June, 1999.***

9. ***Question Period.***

10. ***Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, May 11, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. M. Morrow;
Aldermen M. Kiss, M. Caplan, A. Horwath,
R. Corsini, B. Morelli, D. Haining, D. Wilson,
G. Copps, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played by the Navy League of Canada and the Royal Canadian Sea Cadets Band.

Father Lucien Puscariu, Romanian Orthodox Church of Holy Resurrection Council led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a trophey to Shona Thorburn for her outstanding accomplishments in Women's Basketball.

ADOPTION OF MINUTES

The minutes of the meeting held April 27, 1999 and the special meeting held April 29, 1999 were adopted as circulated.

CORRESPONDENCE

1. Application dated April 27, 1999 from Alexander Furmanov, Toronto, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 199 Stone Church Road West, Hamilton, Ontario.

   Received.

2. Application dated April 27, 1999 from Sam Guerriero and Stefanina Guerriero, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 1509 Upper Sherman Avenue, Hamilton, Ontario.

Received.

3. Application dated April 27, 1999 from Samuel Guerriero for a modification to the established "C" (Urban Protected Residential, etc.) District (Block "1") and for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected, Residential etc.) District, modified (Block "2") for 1487 Upper Sherman Avenue, Hamilton, Ontario.

Received.

4. Application dated May 5, 1999 from Kim Jee Chiu and Bik Ha Hoy Chiu for a change in zoning from "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District to "DE" (Low Density Multiple Dwellings) District modified for 54 and 56 Alanson Street, Hamilton, Ontario.

Received.

5. Application dated May 5, 1999 from Frank Mastrioanni and Antonietta Mastrioanni, 966 Stone Church Road East, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at the rear of 102 Eleanor Avenue, Hamilton, Ontario.

Received.

6. Letter dated April 26, 1999 from R. Scott Smith, Secretary to the Board of the Commissioners, Hamilton Harbour Commission respecting Hamilton Harbour Commissioners' Land Use and Development By-law.

Referred to the Planning and Development Committee

* * * * * * * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. –17.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE – FIFTH REPORT

Section 11 Re: Bicycle Network Implementation Bicycle Rack Program

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1. **CARRIED.**

* * * * * * * * * * * *

Section 14 Re: Hiring of Summer Students

It was moved by Alderman Collins and seconded by Alderman Wilson that the following be added as Section 14 of the Fifth Report of the Transport and Environment Committee:

(a) That the hiring of students for the summer of 1999 be maintained at last year's levels, without the involvement of private contractors; and

(b) That all recommended changes in service delivery and/or staffing levels be brought to Committee and Council for their consideration and approval.

CARRIED.

PARKS AND RECREATION COMMITTEE – SIXTH REPORT

Section 3 Re: Sale of Alcoholic Beverages – Mohawk Sports Park – Hamilton Hornets Rugby Football Club

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Aldermen Jackson and Charters. -2. **CARRIED.**

* * * * * * * * * * * *

Section 4 Re: Canadian Association of Chiefs of Police Conference

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Horwath. -1. **CARRIED.**

* * * * * * * * * * * * *

Section 6 Re: 1999 Morgan Firestone Foundation, Request for Outdoor Concert in Bayfront Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Aldermen Horwath, Copps. -2. **CARRIED.**

* * * * * * * * * * * * *

Section 9 Re: Policy – Delegation of Approval of Events by Permits to General Manager

It was moved by Alderman Eisenberger and seconded by Alderman O'Sullivan that Section 9 of the Sixth Report of the Parks and Recreation Committee be amended to add the following to Sub-Section "B" as follows:

"...with the exception of major facilities which shall be dealt with by the Parks and Recreation Committee and Council. **CARRIED.**

* * * * * * * * * * * * * *

Section 10 Re: Multi Pad Indoor Arena/Sports Complex, Adoption of Stage One Evaluation Criteria – Letters of Interest

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE – ELEVENTH REPORT

Section 2 Re: Downtown Convert/Renovate-to-Residential Loan Program – 34-36 Hess Street South

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE – NINTH REPORT

CITY OF HAMILTON LICENSING COMMITTEE – FOURTH REPORT

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan –17.

NAYS: -0.

CARRIED.

* * * * * * * * * * * * *

City Council then adjourned at 8:45 o'clock p.m.

* * * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

J. J. Schatz, Municipal Clerk
May 11, 1999
JJS/dg

Minutes of the Special Meeting of City Council
Tuesday, May 18, 1999
9:25 o'clock p.m.
Council Chambers, City Hall

The Council met:

Present: Mayor R. M. Morrow, Chairman.
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli, D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Charters and seconded by Alderman Wilson that Rule No. 3 (d) of the City of Hamilton Procedural By-law respecting the serving of notice be waived for this special meeting of City Council. **CARRIED.**

* * * * * * * * * * * * * * *

It was moved by Alderman Charters and seconded by Alderman Wilson that Council move into Committee of the Whole to consider the Report of the Joint City\Region Budget Steering Committee with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –17.

NAYS: -0. **CARRIED.**

JOINT CITY\REGION BUDGET STEERING COMMITTEE – SECOND REPORT

It was moved by Alderman Charters and seconded by Alderman Wilson that the Report of the Committee of the Whole on the Report of the Joint City\Region Budget Steering Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –17.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * *

City Council then adjourned at 9:30 o'clock p.m.

* * * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

J. J. Schatz, Municipal Clerk
May 18, 1999
JJS/dg

REPORT OF THE JOINT CITY/REGION BUDGET STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Joint City/Region Budget Steering Committee presents its **SECOND** Report for 1999 and respectfully recommends:

1. Further reductions to meet the Corporation Targets

That the following reduction be made to the 1999 Current Budget:

(a) That staff be directed to reduce the overall operating budget by $425,000.

2. 1999 City Current Budget

(a) That the recommended Program Changes in the amount of $1,759,400 be approved.

(b) That the following one-time costs in the amount of $528,970 be approved and funded:

(i) $195,500 from the Reserve for Uninsured Losses; and,

(ii) $333,470 from the Tax Stabilization Reserve.

(c) That the New/Enhanced Program for the Assignment of School Crossing Guards – 5 locations in the net levy amount of $23,850 be approved and funded by a tax levy increase.

(d) That the Supplementary Program Changes in the total amount of $800,000 be approved.

(e) That $120,000 be reduced from the City's current budget as part of the $425,000 reduction as noted in 1(a) above.

(f) That the 1999 Tax Levy in the amount of $116,365,800 representing a 3.67% decrease from 1998 be approved, and that this results in the 1999 total approved expenditure budget of $163,650,010.

* Mayor Morrow raised the issue and expressed concern over the proposed increase in the rental fees for the Farmers Market stalls.

3. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-14 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN B. CHARTERS,
CHAIRMAN
JOINT CITY/REGION BUDGET
STEERING COMMITTEE

Susan K. Reeder
Legislative Assistant
May 18, 1999

CORRESPONDENCE

Correspondence:

1. Letter dated May 7, 1999 from R. Scott Smith, Secretary, Hamilton Harbour Commissioners respecting Financial Statements for the year ending December 31, 1998 as prepared by the Commissioners' Auditors, PricewaterhouseCoopers. (previously distributed)

   Recommendation: Be Referred to the Finance and Administration Committee.

2. Application dated May 14, 1998 from Robert Shelley Construction Ltd. for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Blocks "1" and "2") for property north of Rymal Road East fronting on Eaglewood Drive, Hamilton, Ontario

   Recommendation: Be Received.

3. Application dated May 20, 1999 from Hugh MacLeod, 86 Herkimer Street, Hamilton, Ontario for a Removal of Holding Provision from "D" – "H" (Urban Protected Residential – One and Two Family Dwellings, etc. Holding) District to "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District modified for 27 Dundurn Street North, Hamilton, Ontario.

   Recommendation: Be Received.

605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Phone Numbers
Hamilton 905-525-4330
Inwats 1-800-263-2131

Fax Numbers
Administration 905-528-6282
General Office 905-528-6554

The Hamilton Harbour Commissioners

May 7, 1999

1.

VIA COURIER

Mr. J. Schatz
Municipal Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz,

Enclosed find an original copy of the Financial Statements of the Hamilton Harbour Commissioners for the year ended December 31, 1998 as prepared by the Commissioners' Auditors, PricewaterhouseCoopers.

Kindly provide written acknowledgement of receipt of these Statements.

Yours very truly,
THE HAMILTON HARBOUR COMMISSIONERS

R. Scott Smith
Secretary to the Board of Commissioners

RSS:ah
Encls.

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PLANNING & DEVELOPMENT

COMMITTEE

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1999 and respectfully recommends:

1. ZA-99-08, for 1062 and 1088 Upper Paradise Road

(a) That approval be given to Zoning Application ZAC-99-08, Visplar Holdings Limited (E. LeBerge), owner, for a modification in zoning to the established "D" (Urban Protected Residential – One and Two Family, etc.) District (Block "1") and "D" – 'H' (Urban Protected Residential – One and Two Family, etc. - Holding) District (Block "2"), for lands known municipally as 1062 and 1088 Upper Paradise Road, as shown on the attached map marked as Appendix "A", on the following basis:

(i) That Subsection 7. of Zoning By-law No. 98-210 be repealed in its entirety and replaced with the following:

"That the "D" (Urban Protected Residential - One and Two Family, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to Blocks "4" and "5" referred to in Sections 1.(a) and (b), be modified to include the following variances as special requirements

(a) for a dwelling with a detached garage, then the following provisions shall apply:

(1) that notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, the following shall apply:

(i) a front yard of a depth of at least 4.5 metres to the main wall of the dwelling shall be provided and maintained;

(2) that every roofed-over and unenclosed front porch shall have a minimum width of 3.0 metres and a minimum depth of 2.0 metres for every single family dwelling and two family dwelling;

(3) that notwithstanding Section 18.(3)(d) of Zoning By-law No. 6593, a roofed-over porch shall be setback at least 2.0 metres from the front lot line;

(4) that notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a single family dwelling one side yard of at least 0.9 metres and one side yard of at least 2.8 metres shall be provided and maintained;

(5) that notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a two family dwelling a side yard of at least 2.8 metres shall be provided and maintained;

(6) that in addition to the requirements of Section 18A. of Zoning By-law No. 6593, a T-shaped manouvering area shall be provided and maintained in the rear yard for each single family dwelling;

(7) that for every single family dwelling and two family dwelling, one of the required parking spaces shall be provided and maintained in a detached garage;

(8) that notwithstanding Section 18.(4) of Zoning By-law No. 6593, a swimming pool shall not be permitted;

(b) for a dwelling with an attached garage, then the following provisions shall apply:

(1) that notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, the following shall apply:

(i) a front yard having a depth of not less than 4.5 metres to the main wall of the dwelling shall be provided and maintained; and,

(ii) a front yard having a depth of not less than 6.0 metres to the garage or carport shall be provided and maintained;

(2) that every roofed-over and unenclosed front porch shall have a minimum width of 3.0 metres and a minimum depth of 2.0 metres for every single family dwelling and two family dwelling;

(3) that notwithstanding Section 18.(3)(vi)(d) of Zoning By-law No. 6593, a roofed-over porch shall be setback at least 2.0 metres from the front lot line;

(4) that notwithstanding Section 18.(4) of Zoning By-law No. 6593, a swimming pool shall not be permitted;"

(ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as amended by By-law No. 98-210, as Schedule S-1405b, and that the subject lands on Zoning District Map W-37D be notated as S-1405b;

(iii) That the Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37D for presentation to City Council; and,

(iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. Request for an Amendment to the Official Plan – 649 Pritchard Road

(a) That approval be given to Official Plan Amendment No. 161, to establish a Special Policy Area to permit an industrial use within 90 m of existing residential uses, for property located at 649 Pritchard Road, as shown on the attached map marked as Appendix "B"; and,

(b) That the General Manager, Community Planning & Development Division be authorized and directed to prepare a by-law of adoption, to the satisfaction of the Corporate Counsel, for submission to the Region of Hamilton-Wentworth; and,

(c) That the by-law of adoption not be forwarded to Council until the Chairman of Planning and Development Committee and the Ward Alderman have signed the report approving Site Plan Control application DA-99-01 for the subject lands, including an amendment to the Neighbourhood Plan for the East Mountain Industrial Business Park to delete the proposed cul-de-sac running easterly from Pritchard Road.

3. OPA 159, west side of Upper Wentworth Street, north of Rymal Road East

(a) That approval be given to Official Plan Amendment No. 159 to redesignate the subject lands from RESIDENTIAL to MAJOR INSTITUTIONAL on Schedule "A" – Land Use Concept, to permit the development of the lands on the west side of Upper Wentworth Street, north of Rymal Road East for a 120 bed nursing home, as shown on the attached map marked as Appendix "C"; and,

(b) That upon finalization of the Official Plan Amendment, the subject lands be redesignated from "Medium Density Apartments" to "Civic and Institutional" in the approved Barnstown Neighbourhood Plan; and,

(c) That the General Manager of the Community Planning and Development Division be authorized and directed to prepare a by-law, to the satisfaction of Corporate Counsel, for submission to the Region of Hamilton-Wentworth.

4. **Kentley Neighbourhood Plan Review, 505 to 537 Queenston Road**

(a) That Land Use Option 3b Mixed Uses – Commercial Conversions and Dwellings, as outlined in this report, be endorsed as the land use option for the subject lands, shown on the attached map marked as Appendix "D"; and,

(b) That the Community Planning and Development Division be directed to undertake the appropriate Official Plan Amendment, Neighbourhood Plan Amendment (including Design Guidelines) and Rezoning to implement Option 3b Mixed Uses – Commercial Conversions and Dwellings.

5. **Core Heritage 2000 Program, 46 Ferguson Avenue South**

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of $2,198 to Radigan Bros. Ltd., registered owners of 46 Ferguson Avenue South, be approved, subject to an encroachment agreement with the City of Hamilton being executed.

6. **Authorization for Staff Attendance at an Ontario Municipal Board Hearing 70 Emerald Street South**

That the appropriate staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99-34, respecting property located at No. 70 Emerald Street South, as shown on attached map marked as Appendix "E".

7. **Authorization for Staff Attendance at an Ontario Municipal Board Hearing – 109 Emerson Street.**

That the appropriate staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99:40, respecting property located at No. 109 Emerson Street, as shown on attached map marked as Appendix "F".

8. Proposed Site Plan Control By-Law – 111 Traymore Avenue

(a) That Schedule "A" to Site Plan Control By-law No. 79-275, as amended by By-law No. 87-233, be further amended by adding the lands located at No. 111 Traymore Street (as enlarged by severance application B-98-6), as shown on the attached Appendix "G"; and,

(b) That the General Manager of Community Planning and Development be directed to prepare the necessary By-law, to amend By-law No. 79-275, in a form satisfactory to Corporate Counsel, for presentation to City Council.

9. King Street West BIA – Board of Management and Budget and Schedule of Payments for 1999

(a) That the following individuals be appointed to the King Street West B.I.A.'s Board of Management :

Catherine Sennett	300 King St. W., Small Talk Clothing Co. Owner/Tenant
Trudy Parsons	306 King St. W., Keyin College, Tenant
David Vukmanich	216-220 King St. W., Owner
Mark Milligan	246 King St. W., Owner/Tenant
Michael Zaccaria	290 King St. W., Owner/Tenant
Alderman A. Horwath	Ward 2
Alderman R. Corsini	Ward 2

(b) That the 1999 operating budget for the King Street West B.I.A., attached hereto as appendix "H", be approved in the amount of $2,800; and,

(c) That the General Manager of Finance, be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1999 budget as referenced in (b) above; and,

(d) That the following payment for 1999 be approved:

May 26	$2,800.00

10. Heritage Permit – 176 Delaware Avenue

That a Heritage Permit be approved for a two-storey rear addition, as shown on the elevation plans attached hereto as Appendix "I", to the single-family house at 176 Delaware Avenue, located in the St. Clair Boulevard Heritage Conservation District.

11. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-29 A By-law to Amend By-law No. 93-167 Respecting Building Permit and Inspection Fees.

(b) C-30 A By-law to Amend By-law No. 98-243 Respecting Property Standards Fees.

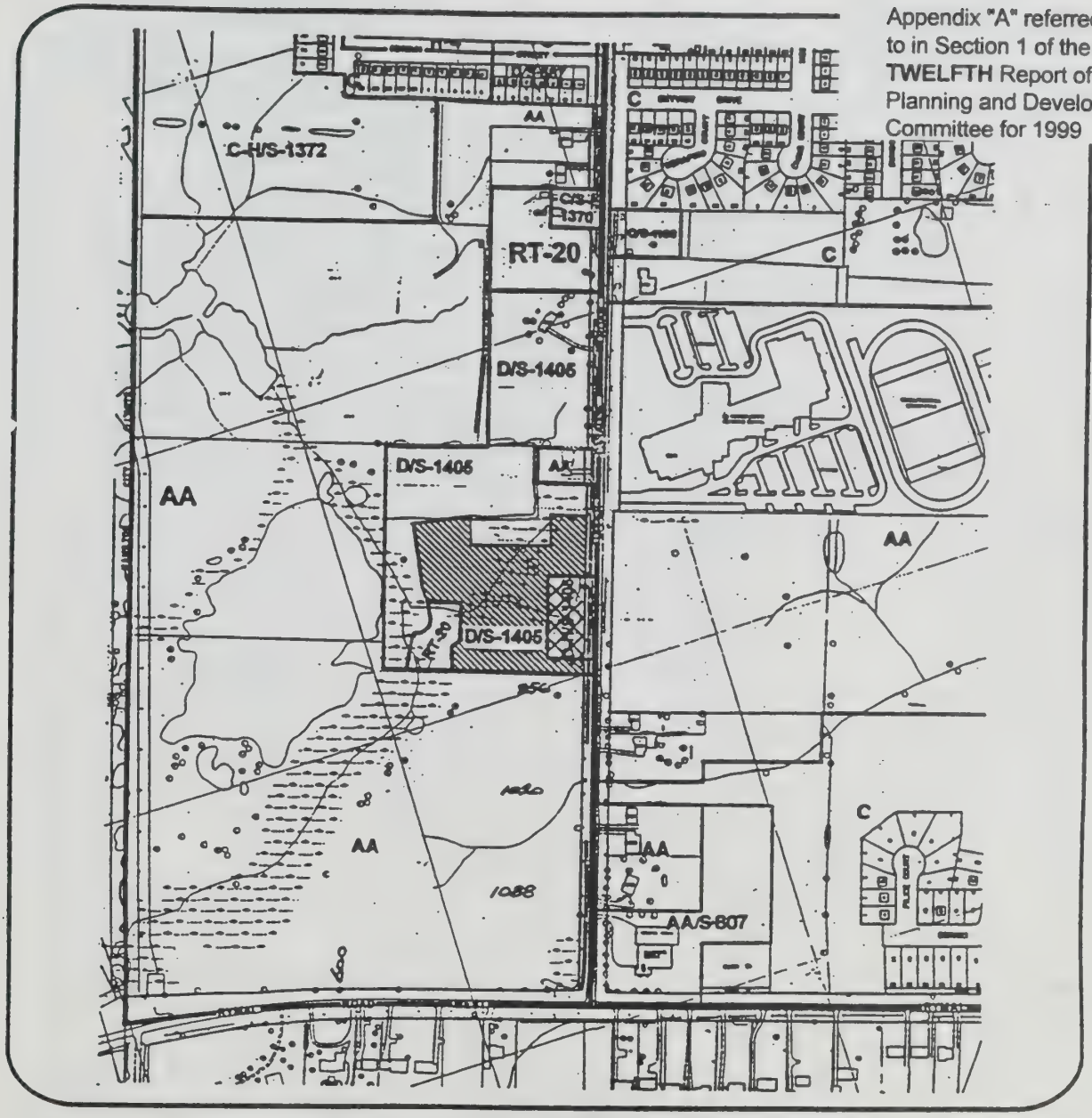
(c) C-31 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located East of Greenhill Avenue, West of Webster Road and North of the Existing Railway Line.

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE

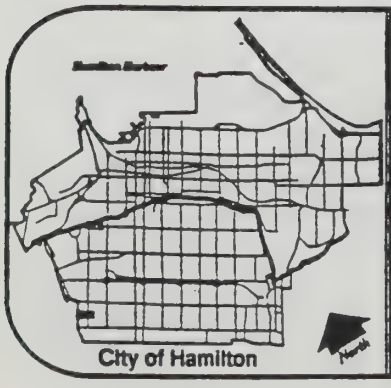
Tina Agnello, Secretary
May 19, 1999

Appendix "A" referred to in Section 1 of the **TWELFTH** Report of the Planning and Development Committee for 1999



PLANNING AND DEVELOPMENT DEPARTMENT

Location Map



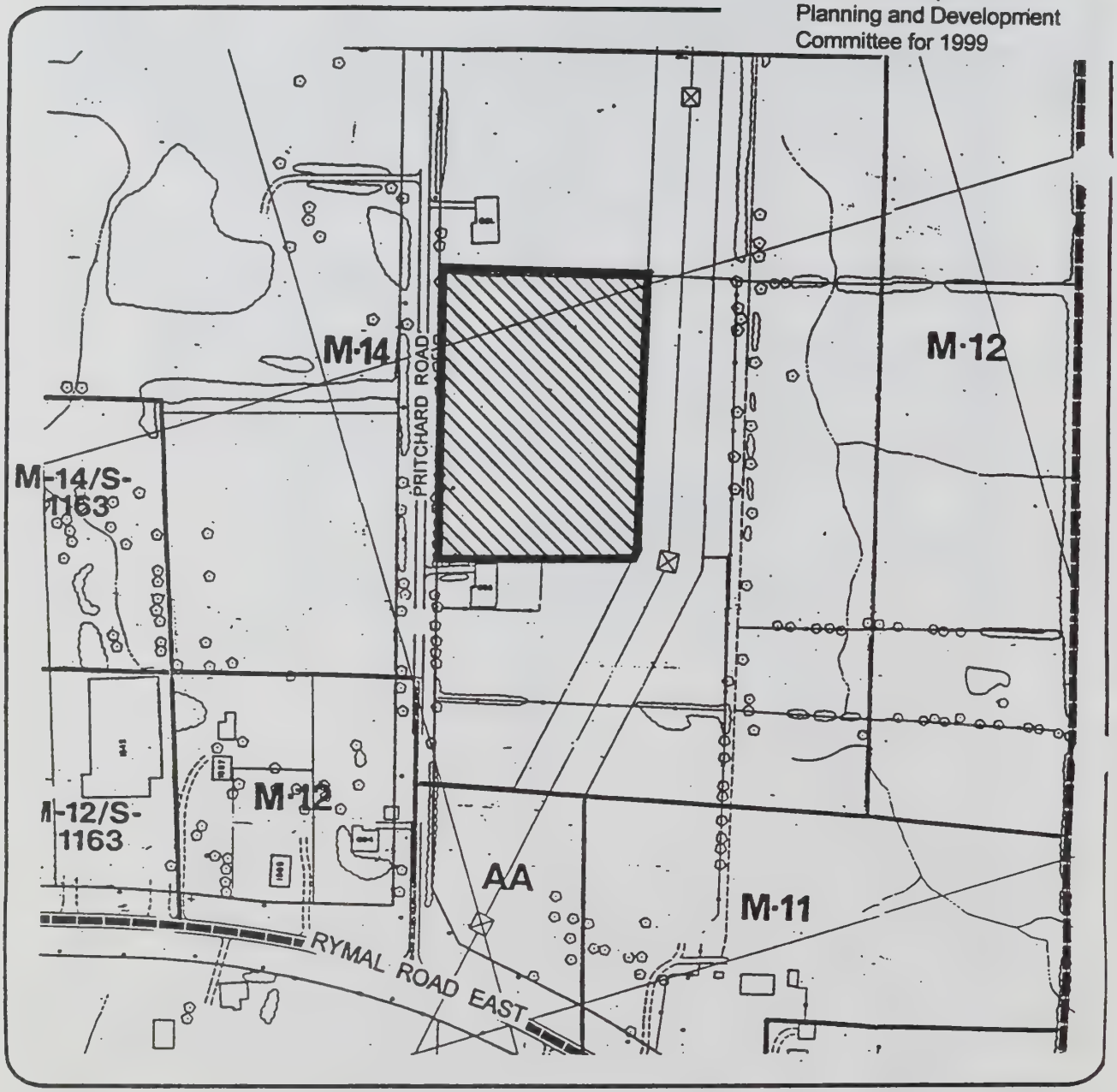
Legend

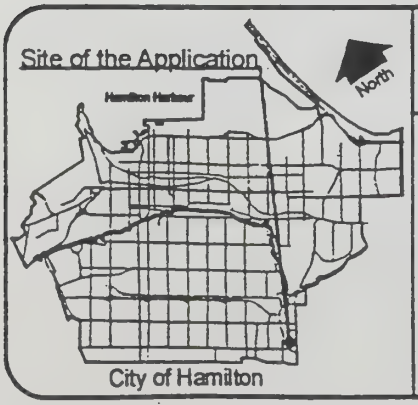
Block "1" — Further modification to the established "D" (Urban Protected Residential - One and Two Family, etc.) District, modified;

Block "2" — Further modification to the established "D" – 'H' (Urban Protected Residential - One and Two Family, etc. - Holding) District, modified.

Reference file:	ZAC-99-08
Scale	Not to Scale
Date	March,1999
Technician:	FAB
	APPENDIX A

Appendix "B" referred to in Section 2 of the **TWELFTH** Report of the Planning and Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

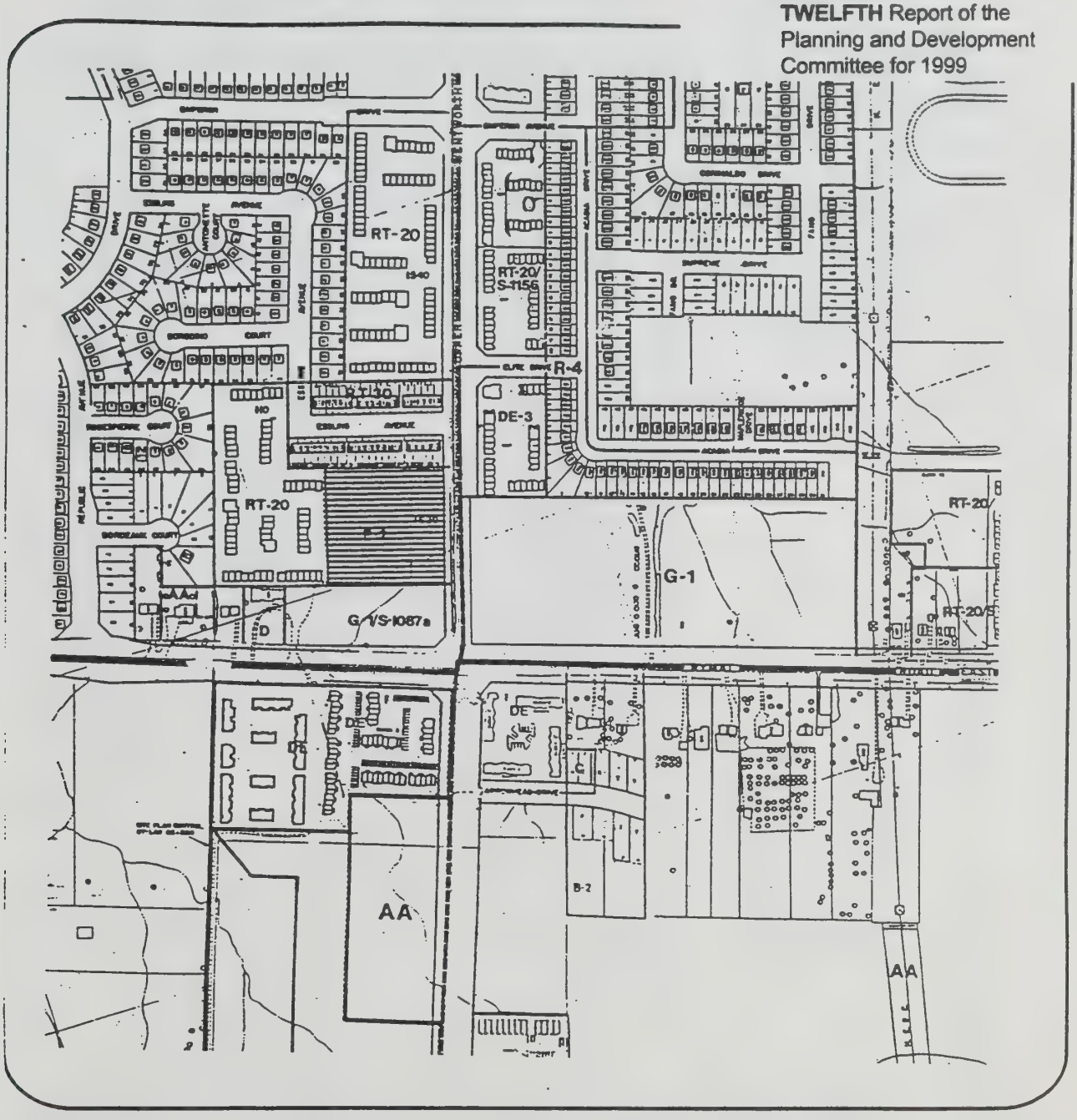
Location Map

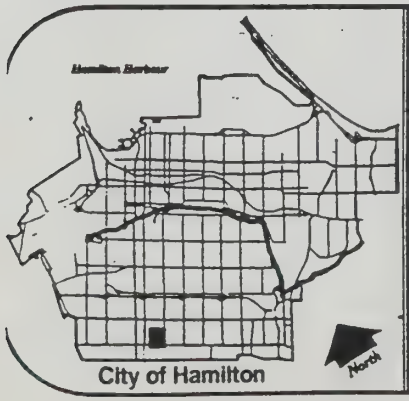
Legend

Site of the Application

Reference file:	**OPA 161**
Scale	**Not to Scale**
Date	**March,1999**
Technician:	**B. B.**
	APPENDIX ' '

Appendix "C" referred to in Section 3 of the **TWELFTH** Report of the Planning and Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

Site of Application

Reference file:	OPA-159
Scale	Not to Scale
Date	February,1999
Technician:	FAB
	APPENDIX A

Appendix "D" referred to in Section 4 of the **TWELFTH** Report of the Planning and Development Committee for 1999

EXISTING LAND USE AND ZONING

STUDY AREA

ZONING BOUNDARY

RED HILL VALLEY

COMMERCIAL
① Retail
② Gas Service Station
③ Restaurant
④ Offices

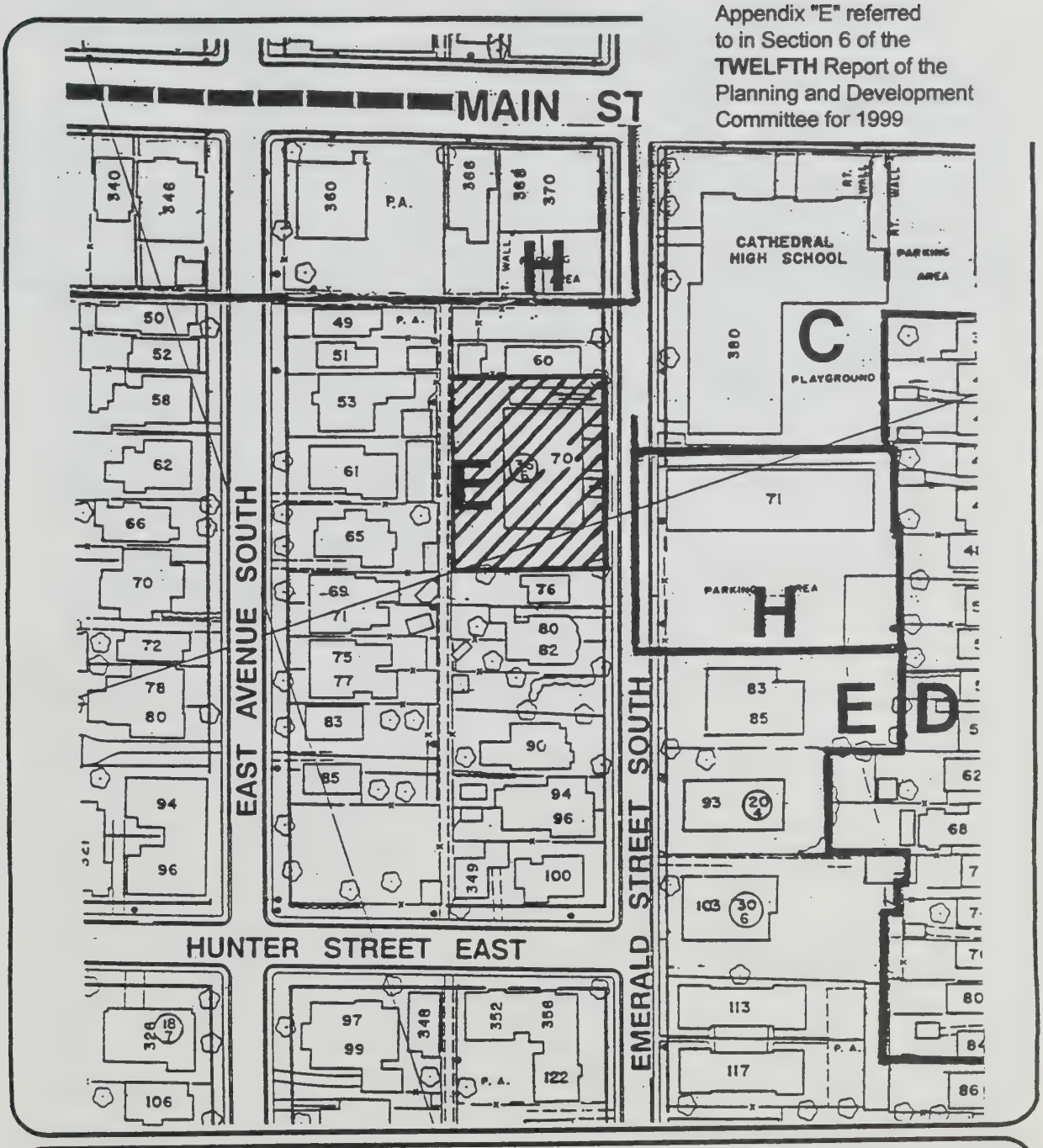
SINGLE FAMILY DWELLING

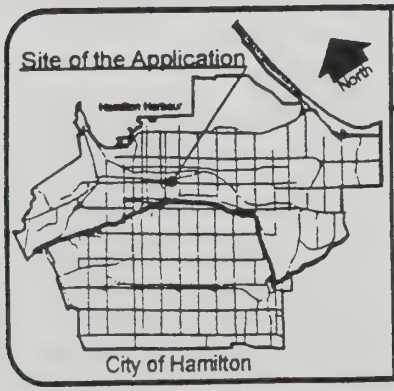
CONVERTED TWO FAMILY DWELLING

ROW HOUSING

MULTI FAMILY DWELLING

Appendix "E" referred to in Section 6 of the **TWELFTH** Report of the Planning and Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

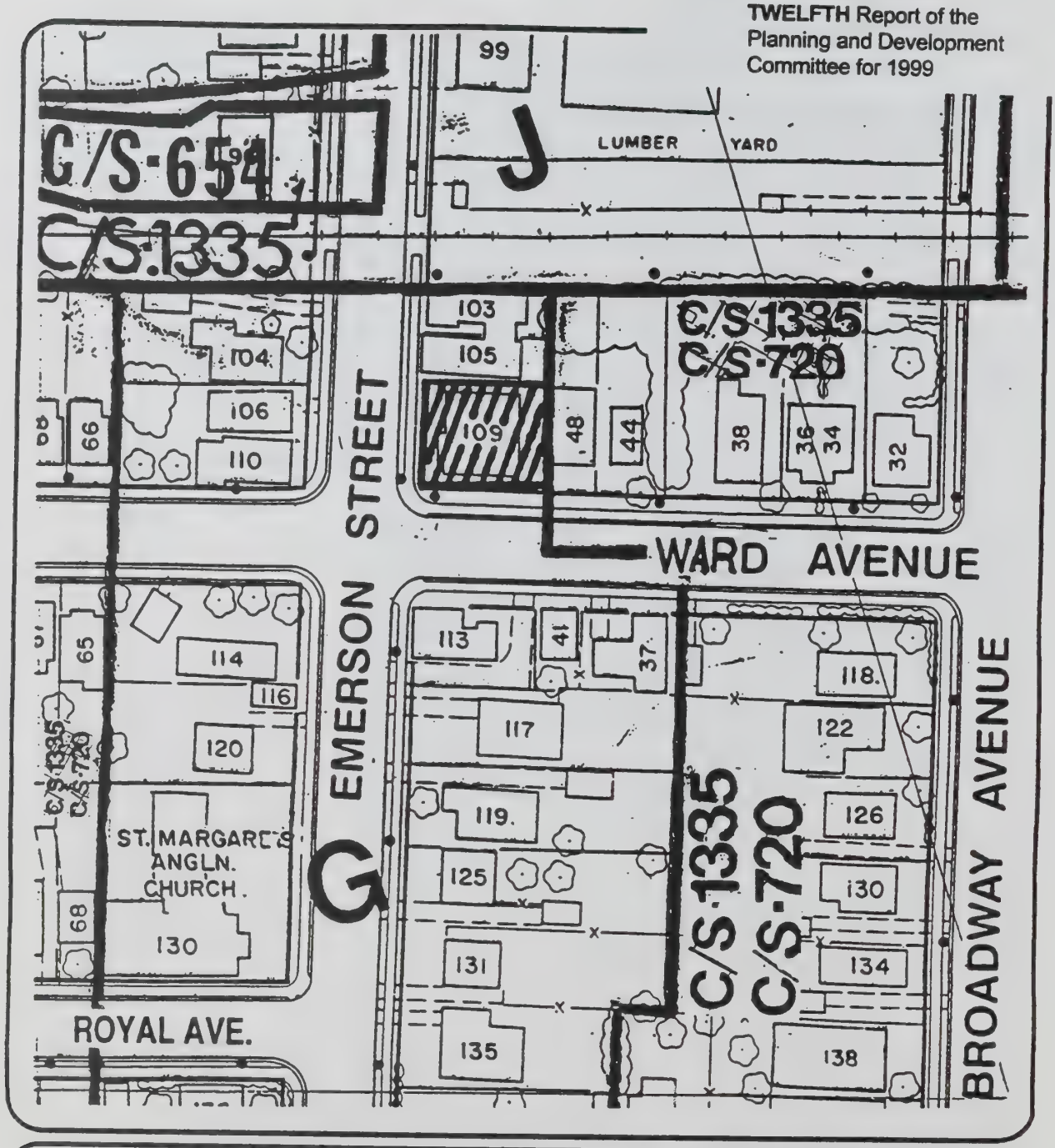
Location Map

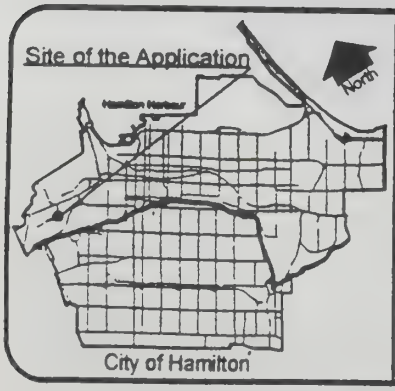
Legend

Site of the Application

Reference file	**A-99:34**
Scale	**Not to Scale**
Date	**March,1999**
Technician	**B. B.**
	APPENDIX ' '

Appendix "F" referred to in Section 7 of the **TWELFTH** Report of the Planning and Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

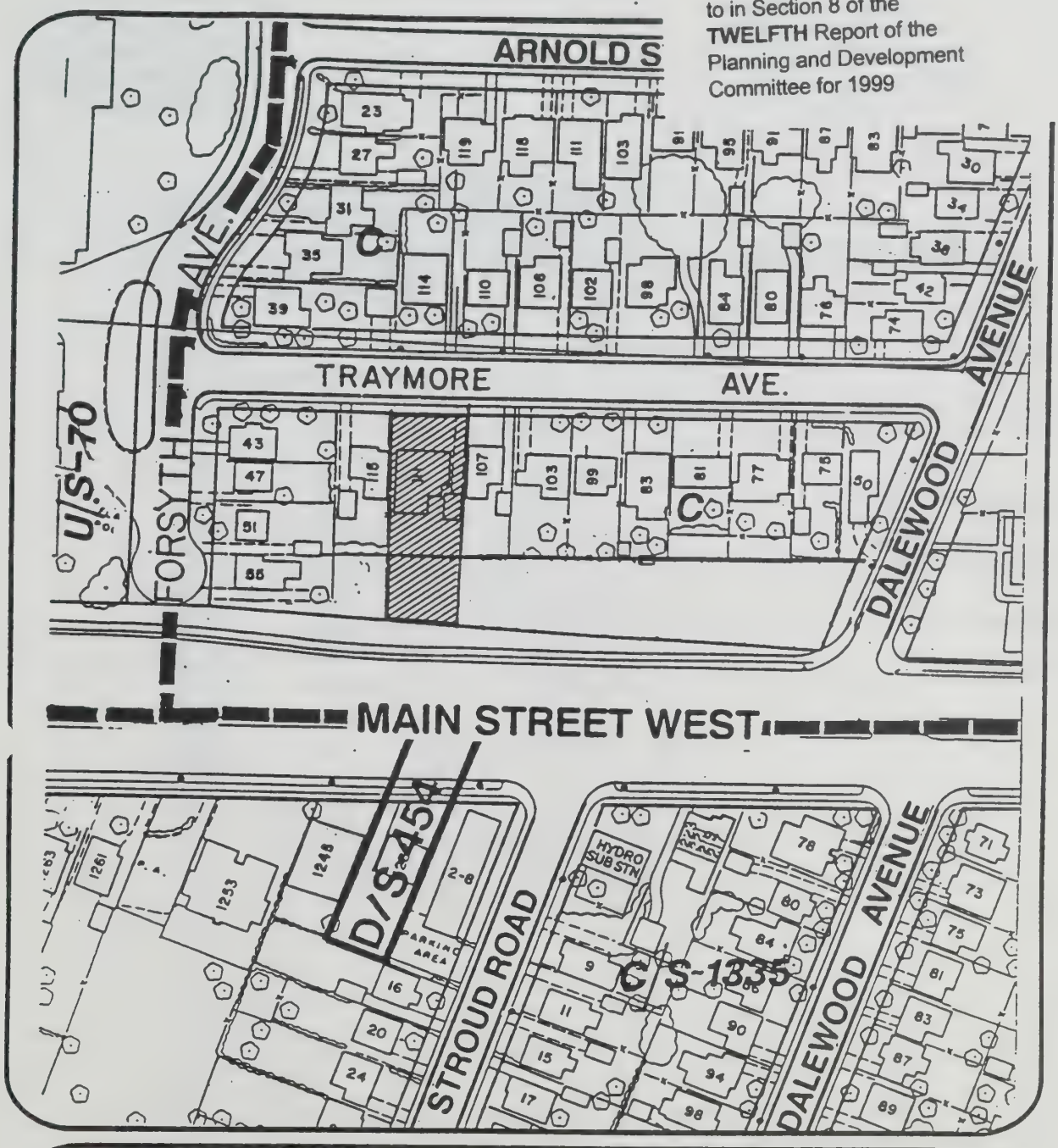
Location Map

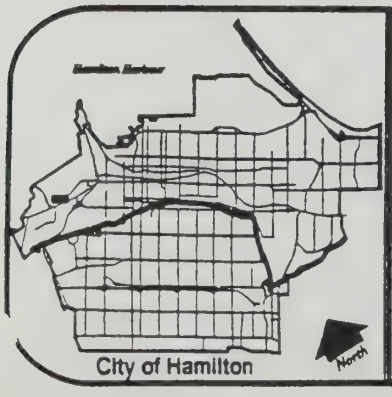
Legend

Site of the Application

Reference file	**A-99:40**
Scale	**Not to Scale**
Date	**March,1999**
Technician:	**B. B.**
APPENDIX ' '	

Appendix "G" referred to in Section 8 of the **TWELFTH** Report of the Planning and Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

SITE OF APPLICATION

Reference file:	B-98-6
Scale	Not to Scale
Date	April, 1999
Technician:	FAB
APPENDIX	

Appendix "H" referred to in Section 9 of the TWELFTH Report of the Planning and Development Committee for 1999

KING STREET WEST PROPOSED BUDGET FOR 1999

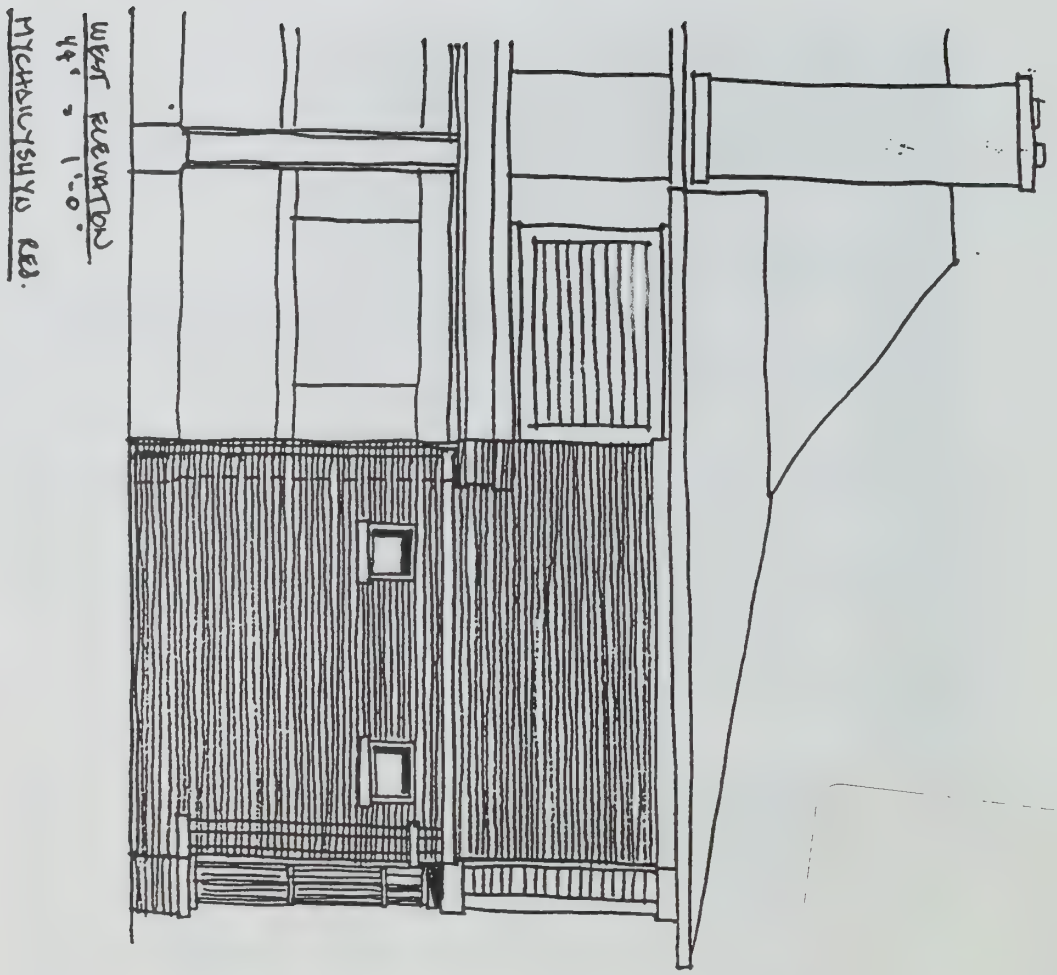
Expenses:

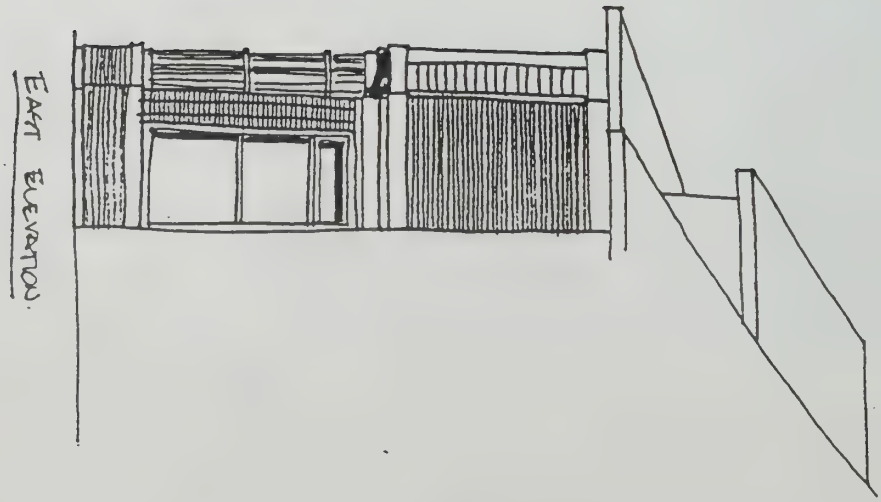
Administration, photocopying, paper, postage, meetings, advertising/promotion, Special Events	**$1520.00**
Insurance	**$ 600.00**
Accounting Audit	**$ 400.00**
Contingency fund	**$ 280.00**
Total	**$2800.00**

Appendix "I" referred
to in Section 10 of the
TWELFTH Report of the
Planning & Development
Committee for 1999



MYCHAILYSHYN RES.
SOUTH ELEVATION
1/4"-1'-0"


WEST ELEVATION
1/4" = 1'-0"
MECHANICAL UNIT REQ.


EAST ELEVATION

FINANCE & ADMINISTRATION

COMMITTEE

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1999 and respectfully recommends:

1. Pension Funds: Implementation of Elected Master Trust (INV99004))

(a) That the General Manager of Finance be authorized and directed to execute agreements for the implementation of an asset merger of the assets of the Hamilton Municipal Retirement Fund, the Hamilton-Wentworth Retirement Fund and the Hamilton Street Railway Pension Fund to be structured as an Elected Master Trust, subject to the terms and conditions being acceptable to the General Manager of Finance, the investment consultant to all three plans (James P. Marshall), and the Trustee and Custodian of the three retirement funds, in a form satisfactory to Corporate Counsel; and,

(b) That all assets presently held in either of the three pension funds together with the investment managers thereof at the time of initiating the Elected Master Trust be approved for all three City/Region Pension Funds listed above; and,

(c) That for the purpose of the asset merger the General Manager of Finance be authorized and directed to determine the value of non-publicly traded investments held by any of the three plans as at the date of the implementation of the Master Trust, using an approach developed by Finance and deemed reasonable for both the Corporation of the City of Hamilton and by The Regional Municipality of Hamilton-Wentworth as plan sponsors. The calculation would be reviewed by the Internal Auditor.

(d) That all fees incurred in implementing, and maintaining this structure be approved for payment by the pension funds.

2. Mobile Service for Safety Footwear – Various Departments (FIN99036)

That a purchase order be issued to Emille Shoes, Burlington, to supply and deliver various safety footwear by mobile unit to various locations for a period of one (1) 12-month term with option in favour of the City to renew for two (2) 12-month terms, being the lowest of 2 acceptable tenders received, in accordance with a Request for Tender, issued by the Purchasing Division and Vendors Tenders, and be financed through various approved accounts.

3. **Replacement of Four (4) Salt and Sand Spreaders with All Season Radius Dump Bodies and Front Two-Way Plows Units 9633, 9650, 9666 and 9684, Fleet Services**

That a purchase order be issued to Hamilton Truck Service, Hamilton in the amount of $741,060.00 including all applicable taxes, for the replacement of four (4) Salt and Sand Spreaders with All Season Radius Dump Bodies and Front Two-Way plows for Fleet Services, being the lowest total acquisition cost meeting specifications of three tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649851037.

4. **Replacement of Various Trucks Units 9053, 9333, 1309, 0062, 9395, 1437, 9236 and 9367, Fleet Services.**

That a purchase order be issued to Forbes Ford, Grimsby, in the amount of $338,811.85 including all applicable taxes for the replacement of one (1) Conventional Cab and Chassis with Stake Dump, one (1) Conventional Cab and Chassis with Steel Dump, three (3) Crew Cabs with Stake Dumps, one (1) Crew Cab with Aluminum Dump, one Extended Cab with Stake Body and one Cargo/Window Van for Fleet Services, being the lowest total acquisition cost meeting specifications of five tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5535 649851037, CF5530 649851037 and CF5534 649851037.

5. **Replacement of Various Lawn Maintenance Equipment Units 0593, 0594, 0595, 0056 and 0076, Fleet Services.**

That a purchase order be issued to Turf Care Products Canada, Ltd. Newmarket, in the amount of $167,550.40 including all applicable taxes and trade-in, for the replacement of three (3) Five-Plex Fairway Mowers, one (1) Triplex Greensmower and one (1) Three Wheel Drive Triplex Mower for Fleet Services, being the lowest total acquisition cost meeting specifications of three tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5535 649851037.

6. 1999 Winter Control Forecast

That the City of Hamilton projected budgetary shortfall for Winter Control estimated to be $2.2 million be funded in order of available funds as follows:

(a) from within Public Works/Traffic Surplus;

(b) from within Corporate surplus;

(c) from the Reserve for Tax Stabilization

7. Supply and Delivery of Aggregates for 1999-2000; Tender Reference C-12-4-99

That purchase orders be issued for the supply and delivery of aggregates for various City departments as and when required during 1999-2000 for a 12 month term in accordance with specifications issued by Purchasing, and vendor's tenders, to those suppliers as herein listed and to be financed through various approved accounts.

Supplier	Material	Unit Price Tractor Trailer	Unit Price Tri-Axle Tandem
Philip Enterprises	Granular "A"	$ 8.25	$ 8.25
Cayuga Materials	Granular "A"	7.70	8.70
Philip Enterprises	19mm Clear	8.25	8.25
La Farge Construction	9.5mm chips washed	9.74	10.24
Philip Enterprises	53 mm Clear	9.25	9.25
La Farge Construction	#8 Dust Suppressed	32.80	33.50
Philip Enterprises	19mm Crusher run	8.25	8.25
Cayuga Materials	19mm Crusher run	7.70	8.70
Cayuga Materials	53 mm Crusher run	7.70	
Waterford Sand	Rubble Stone	11.25	11.25
Waterford Sand	75-200 Gabion Stone	11.00	11.00
LaFarge Construction	9.5mm screenings	7.94	8.44
La Farge Construction	Athlete Field Lime	15.94	
Flamboro Quarries			16.35

Note: all prices are on a per tonne basis. G.S.T and P.S.T. extra where applicable.

8. 1999 Summer Meeting Schedule

(a) That during the period of July to September, 1999, City Council meet as Committee of the Whole in two-half day sessions to consider all Standing Committee business followed by the formal City Council Meetings on the dates indicated below:

(i) Tuesday, July 6, 1999 – 9:30 a.m., Council Chambers
(ii) Tuesday, September 7, 1999 - 9:30 a.m., Council Chambers;

(b) That the regular Standing Committee and Council meetings scheduled during the months of July and August, be cancelled with the exception of a special Planning and Development Committee meeting tentatively scheduled to meet on Wednesday, August 11, 1999 at 9:30 a.m. to be immediately followed by a City Council meeting;

(c) That notwithstanding the City of Hamilton Procedural By-law which provides for a minimum of 24 hours notice for a special City Council Meeting, that the Municipal Clerk be directed to provide a minimum of 72 hours notice if a Special City Council Meeting is required during the period between July 7th and September 3rd in order to permit Members of City Council sufficient time to return to the City of Hamilton for any special Meetings if they are out of town;

9. Civic Reception – Annual Conference of The Barbadian Assocation of Canada – Friday, May 21, 1999

That the City of Hamilton provide funding up to an amount of $1,500 to host a civic reception on Friday, May 21, 1999 for the delegates to the Annual Conference of The Barbadian Association of Canada to be charged to the Special Receptions/Dignitaries Hosting Account No. CH54314-84010.

10. Reception – 61st Annual Guide-Scout Parade – Saturday, May 29, 1999

(a) That the City of Hamilton provide funding up to an amount of $1,000 to host a reception at City Hall following the 61st Annual Guide-Scout Parade on Saturday, May 29, 1999; and,

(b) That funding for this event be charged to the Receptions – City Hall Account CH55313-84010.

11. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-15 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE

Susan K. Reeder
Secretary
May 18, 1999

NOMINATING COMMITTEE

May 25, 1999

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **THIRD** Report for 1999 and respectfully recommends:

1. **Appointment of the Chairman of the Committee of the Whole**

   That Alderman _____ be appointed Chairman of the Committee of the Whole for the months of June, July and August, 1999.

2. **Nomination of Members – Hamilton Health Sciences Corporation**

   That the following Members of City Council be nominated to serve on the Hamilton Health Sciences Corporation for the 1999-2000 term of office:

   _____

   _____

   _____

   _____

Respectfully Submitted,

Mayor R. M. Morrow
Chairman
Nominating Committee

J. J. Schatz, Secretary
May 25, 1999

CA4 ON HBL AOS
A31
1999

URBAN
MUNICIPAL

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

TUESDAY, MAY 25, 1999
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL

BILLS

Bill No. C-29

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Amend By-law 93-167 Respecting:

BUILDING PERMIT AND INSPECTION FEES

WHEREAS it is expedient to provide for a fee for field inspections of property, and for the clearing of an outstanding work order other than a registered Property Standards Order;

AND WHEREAS By-law No. 93-167 as amended by various by-laws including By-law No. 98-174, provides for fees in respect of building permits;

AND WHEREAS fees and charges may be imposed under the authority of the Municipal Act, R. S. O. 1990, c. M-45, and the Building Code Act, S.O. 1992, c. 23, both as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The Building Permit By-law being By-law No. 93-167 as amended, is hereby further amended by repealing Schedule "A" and replacing it, with Schedule "A" attached to and forming part of this by-law.

2. By-law No. 93-167 as amended, is hereby further amended by adding the following clause, as Clause 3 of Schedule "B":

"3. Notwithstanding this by-law and in particular section 9A of this by-law as amended, the Field Inspection Fee is wholly non-refundable after the inspection has taken place."

3. (1) This by-law comes into force on the day of its enactment.

(2) In all other respects By-law 93-167 as amended is confirmed without change.

PASSED this 25th day of May A.D. 1999.

Municipal Clerk Mayor

Schedule "A" to By-law 93-167, as enacted in By-law 99-	
Column 1	Column 2
Classes of Permits or Other Fees	**Fees**
1. Permit for construction of a building or part thereof	Basic Fee of $150.00 for construction up to $10,000.00 plus an amount calculated at the rate of $9.00 per each $1,000.00 or part thereof of the cost or valuation of construction in excess of the first $10,000.00
2. Permit for the installation of an air conditioning unit or heat pump	$75.00
3. Permit for installation of siding for a single family dwelling	$75.00
4. Permit where the cost of construction is less than $1,000.00	$75.00
5. Permit for installation of a tent:	
(1) Where the area of a single tent is 56 m^2 (603 square feet) or less, and not more than two tents on a site	$25.00
(2) Where the area of a single tent exceeds 56 m^2 (603 square feet), and not more than two tents on a site	$40.00
(3) Where more than two tents are on a site	$40.00, plus an amount calculated at a rate of $9.00 per each $1,000.00 or part thereof of the cost or valuation of construction in excess of the first $10,000.00
(4) Where tents are erected on City owned property for a civic function	$0.00
6. Permit for demolition of:	
(1) a building, other than (2) or (3)	$220.00 plus an amount calculated at the rate of $25.00 per each additional 3,000 cubic meters or part thereof in excess of the first 3,000 cubic meters
(2) a non-serviced accessory building	$100.00
(3) a garage or shed of a single family dwelling	$75.00

7. Permit to authorize occupancy of a building or part thereof, for: (1) the first inspection (2) each inspection after the first	 No Fee $35.00
8. Permit for change of use	$150.00
9. Transfer of Permit	$0.00
10. Permit for the installation of a replacement furnace for a single family dwelling	$75.00
11. (1) Permit for the construction of an on-lot sewage system pursuant to the provisions of the Building Code Act (2) Permit for the repairs to an existing on-lot sewage system pursuant to the provisions of the Building Code Act (3) Preparation of written comments and inspection for land severance, minor variance and re-zoning applications for lots with existing sewage systems	$500.00 $200.00 $200.00
12. Permit for the construction of barrier free access in existing single and two-family dwellings	$0.00
13. Field Inspection Fee: Due upon request for a field inspection of property, for each inspection	$75.00, which fee shall include a letter of clearance where there is compliance with a work order other than a registered Property Standards Order

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Amend By-law 98-243 Respecting:

PROPERTY STANDARDS FEES

WHEREAS it is expedient to amend the Property Standards By-law No. 98-243, to provide a fee for a field inspection and clearance of registered orders, and to make housekeeping changes respecting fees applicable under the by-law;

AND WHEREAS fees and charges may be imposed under the authority of the Municipal Act, R. S. O. 1990, c. M-45, as amended, section 220.1, and the Building Code Act, S.O. 1992, c. 23, as amended, in particular section 15.5;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. By-law No. 98-243, as may be amended, is hereby further amended by repealing and replacing section 39 with the following:

"39(1) Certificate of Compliance: Every owner may make an application to the City for a certificate of compliance, and shall lodge the application with the Property Standards Officer.

(2) Fees for Certificates: An applicant shall pay the applicable fees for a certificate of compliance at the time the application is made, as follows:

(a) For a single family dwelling, $220.00;

(b) For a two-family dwelling, a three-family dwelling, or multiple dwelling, $220.00 plus an amount calculated at the rate of $30.00 for each additional dwelling unit in excess of the first dwelling unit;

(c) For a lodging house, second level lodging house, or nursing home, $220.00 plus an amount calculated at the rate of $20.00 for each permitted resident; and

(d) For all other buildings, $220.00 plus an amount calculated at the rate of $10.00 per 1,000 square feet of gross floor area for the gross floor area in excess of the first 1,000 square feet.

(3) Fee for Inspection: Where a property standards order has been registered, a person may apply for an inspection of the property in respect of the order and shall pay a fee of $175.00 at the time of application, which fee includes the registration of a discharge where compliance with the order is found."

2. (1) This by-law comes into force on the day of its enactment.

(2) In all other respects By-law 98-243 as amended is confirmed without change.

PASSED this 25th day of May A.D. 1999.

Municipal Clerk

Mayor

Bill No. C-31

The Corporation of the City of Hamilton

BY-LAW NO. 99 -

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED EAST OF GREENHILL AVENUE, WEST OF WEBSTER ROAD AND NORTH OF THE EXISTING RAILWAY LINE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-107 of the District Maps appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "A" (Conservation, Open Space, Park and Recreation) District to "C" (Urban Protected Residential, etc.) District, the lands comprised in Block "1"; and,

(b) by changing from "C" (Urban Protected Residential, etc) District to "A" (Conservation, Open Space, Park and Recreation) District, the lands comprised in Block "2",

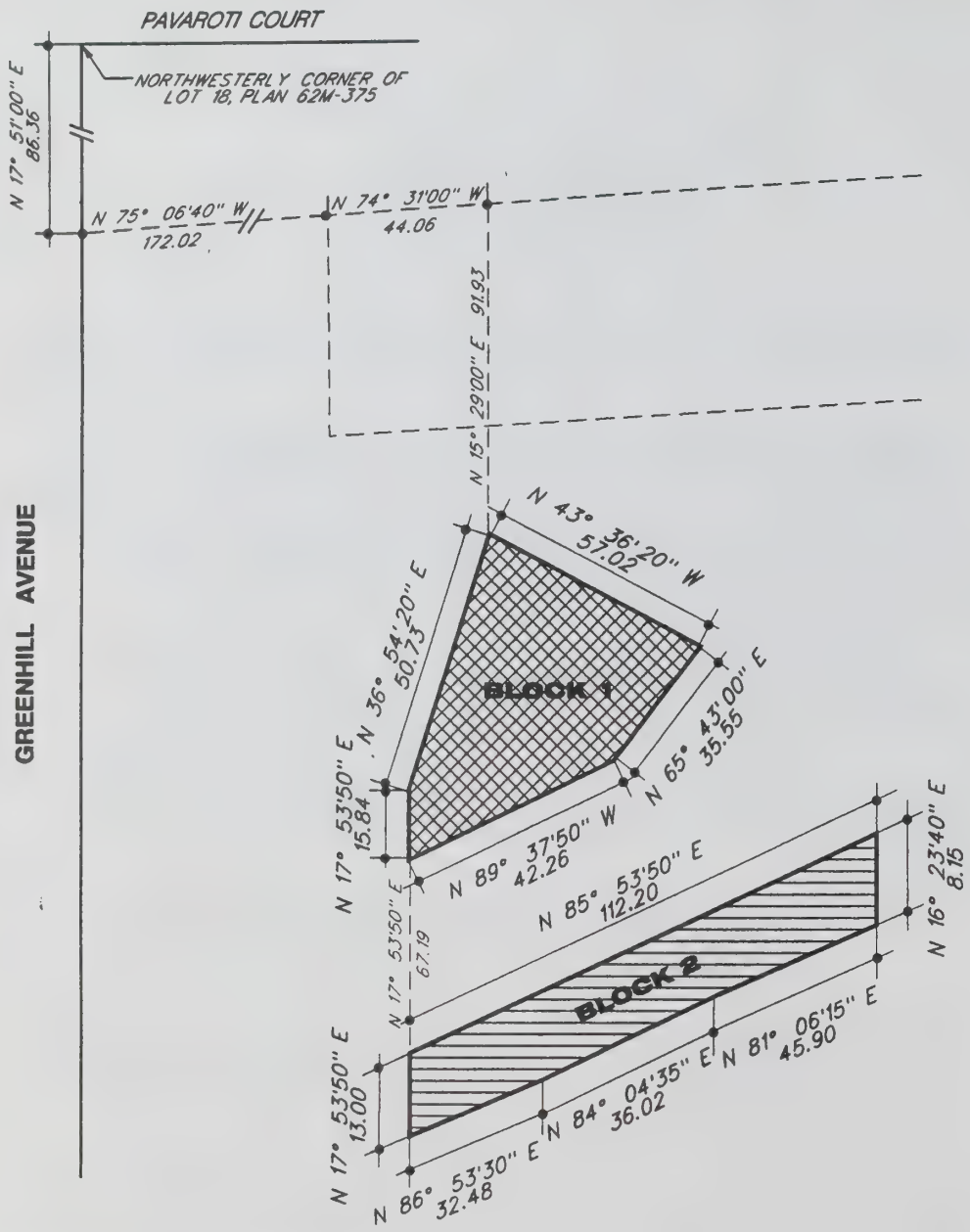
the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 25th day of May A.D. 1999

MUNICIPAL CLERK MAYOR

(1998) 11 R.P.D.C. 1, May 26
Horvat Properties, Owner
ZAC-98-12



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-.....
Passed the ..... day of ....., 1999.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of By-Law No. 99-____

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

Block 1 "A" (Conservation, Open Space, Park and Recreation) District to "C" (Urban Protected Residential, etc.) District

Block 2 "C" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-98-12
	Date	Drawn By
	May, 1999	B. B.

Bill No. D-15

BY-LAW NO. 99 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 25 DAY OF MAY, 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 25 day of May A.D. 1999

ACTING MUNICIPAL CLERK MAYOR

CAY ON HBL A05
A31
1999



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2nd Floor
Hamilton Public Library
+ Bill

URBAN MUNICIPAL

JUN 11 1999

GOVERNMENT DOCUMENTS

June 4, 1999

Notice of Special Meeting

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, June 15, 1999
(6:00 o'clock p.m. - immediately prior to the Regional Council Meeting)
Council Chambers, City Hall

J. J. Schatz,
Municipal Clerk

AGENDA

1. Call to Order
2. Report of the Parks and Recreation Committee re: Concert Rental
3. Adjournment

DINNER AT 5:30 O'CLOCK P.M. IN ROOM 264

c.c.: D. Lychak, City Manager

June 15, 1999

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SEVENTH** Report for 1999 and respectfully recommends:

1. Ivor Wynne Stadium Concert- Morgan Firestone Foundation & September Seventh Entertainment Limited

a) That the City Council's decision of May 10, 1999 to permit the use of Bayfront Park for a fund-raising concert organized by the Morgan Firestone Foundation and September Seventh Entertainment Limited be rescinded; and

b) That City Council on a one time basis set aside and permit the site specific prohibition of concerts to the Morgan Firestone Foundation et al. to use Ivor Wynne Stadium for a fundraising concert; and,

c) That the General Manager, Community Services be authorized to negotiate a contract and rental rate in a form satisfactory to the Director of Legal Services and Corporate Counsel; and,

d) That the General Manager, Community Services be directed to report back to the Parks and Recreation Committee on the impact of the Concert.

2. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

B-1 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Tina Agnello
Secretary
June 2, 1999

Bill No. B-1

BY-LAW NO. 99 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 15th DAY OF JUNE, 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 15 day of June A.D. 1999

MUNICIPAL CLERK MAYOR

URBAN
MUNICIPAL

CA4 ON HBL A05
A31
1999

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+ Bill

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JUL 2 1999

GOVERNMENT DOCUMENTS

June 23, 1999

Notice of Special Meeting

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Monday, June 28, 1999
(immediately following the 4:00 o'clock p.m.
Finance and Administration Committee meeting)
Council Chambers, City Hall

J. J. Schatz,
Municipal Clerk

AGENDA

1. Call to Order
2. Motion to move into Committee of the Whole
3. Report of the Finance and Administration Committee
   Re: Fire Department – Three Year Business Plan
4. Motion to Adopt the Report of the Committee of the Whole
5. Adjournment

c.c.: D. Lychak, City Manager

URBAN MUNICIPAL
City of Hamilton

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Hamilton, Ontario
L8R 3K1

cou

Regional Municipality of
Hamilton-Wentworth

June 25, 1999

Notice of Committee of the Whole/Strategy Session Meeting

CITY OF HAMILTON AND
REGION OF HAMILTON-WENTWORTH

URBAN MUNICIPAL

JUN 28 1999

GOVERNMENT DOCUMENTS

Tuesday, June 29, 1999
9:00 o'clock a.m.
Webster Room A & B
Hamilton Convention Centre

J. J. Schatz, Municipal Clerk

AGENDA

1. Call to Order

2. Restructuring Program (CM99010)
(Private and Confidential Report distributed under separate cover)

3. Moving Forward: A Comprehensive Program of Change Management
(HUR99015/C-013-99)
(Private and Confidential Report distributed under separate cover)

4. Allocation of $25M Provincial Funding (FIN99046)

5. Accommodation Plan

(a) Accommodation Strategy for the City and Region Amalgamated Administration (FAC98007a)

(b) Hamilton City Hall Base Building Improvements (FA99003)

6. Adjournment

NOTE: Lunch will be provided at 12:00 noon at the Convention Centre

Special Meetings of Both City and Regional Council will be convened at 1:00 p.m. or immediately following the strategy session in the Council Chambers, City Hall (if required)

CITY OF HAMILTON / REGION OF HAMILTON-WENTWORTH

4.

- RECOMMENDATION -

DATE: 1999 June 24

REPORT TO: Chairman and Members
City Committee of the Whole

Chairman and Members
Region Committee of the Whole

FROM: Allan C. Ross
General Manager, Finance

D. A. Lychak
City Manager

SUBJECT: Allocation of $25M Provincial Funding (FIN99046)

RECOMMENDATION:

(a) That the $25 Million received from the Province of Ontario be distributed as follows:

(i) $5 Million to fund severance costs associated with restructuring to date;

(ii) $13.5 Million to the Administrative Amalgamation Reserve (081906) to fund early retirement costs associated with restructuring;

(iii) $3 Million to the Technological Improvements Reserve (081907) to fund one time costs associated with technological and organizational improvements;

(iv) $3.5 Million to the Enterprise Fund Reserve (081908) to fund one time costs associated with operating improvements that result in sustainable savings.

(b) That all City Of Hamilton costs associated with any activity outlined in recommendation (a) above be funded from the appropriate Regional Reserves until the $25 Million is fully expensed.

D. A. Lychak

A. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Severance Costs $5 Million

These funds are required to replenish reserves for all severance and associated costs incurred for restructuring to date.

Administrative Amalgamation Reserve $13.5 Million

These funds are being set aside for the severance/early retirement costs related to the amalgamation of the two administrations. In most situations we are required by statute to provide severance and lieu payments on termination. Depending on the situation additional payments may be required to avoid litigation. Funds are also being provided for in the event that retirement incentives are required to facilitate staff reductions, avoid layoffs and associated bumping and to assist in the change management process.

Information Technology Improvements $3 Million

These funds are being provided to support one time costs of technological enhancements that will yield improvements to processes, enhanced reporting mechanisms or ongoing savings to the corporation.

Enterprise Fund $3.5 Million

Funds will be used for one time costs associated with innovative ventures and alternative service delivery that yield ongoing operating savings. It is expected that the funds allocated for this purpose will be returned to the reserve as savings accrue. Budget reductions will begin when start-up costs have been repaid.

BACKGROUND:

On April 20, 1999 the Province of Ontario provided $25 million to the City of Hamilton and the Region of Hamilton-Wentworth to help with the re-organization. During the 1999 Budget deliberations staff was directed to prepare a report outlining the disposition of these funds between the City and Region as well as the purposes for which these funds are to be allocated.

5(a)

CITY OF HAMILTON

REGION OF HAMILTON-WENTWORTH

-RECOMMENDATION-

DATE: June 14, 1999

REPORT TO: Chairman and Members
Finance and Administration Committee

Chairman and Members
Finance and Administrative Services Committee

FROM: J.P. Bruzzese
General Manager, Corporate Services

SUBJECT: **Accommodation Strategy for the City and Region Amalgamated Administration (FAC98007a)**

RECOMMENDATION:

a) That the Accommodation User Needs Project Report prepared by Chamberlain Architect Service Limited and dated June 1999 be received;

b) That subject to identification and approval of funding sources; Option 2E be endorsed as the preferred alternative for accommodations strategy for the amalgamated administration, at a cost not to exceed $12.9 million over the next 3.5 years, equally shared by the City and Region, and as part of this preferred option:

i) That the Court House (50 Main Street East) be declared surplus of municipal needs and either sold or leased;

ii) That 74 Hughson Street (former Health Building) be declared surplus of municipal needs and disposed of according to municipal policy;

iii) That leases at 35 King Street East (Right House) and 77 James Street North (Eaton's Centre) be increased;

iv) That proposals be requested for the lease of an additional 12,400 square feet in the Hamilton downtown core;

TABLED Joint F+A/F+AS June 15/99.
App'd by Committee

App'd by Council

v) That funds received from the sale/lease of the Court House be directed to the Accommodations Reserve and used to offset expenses related to the implementation of the Accommodations Study;

c) That the General Manager of Finance recommend a method of financing;

d) That, subject to approval of financing, the Director of Facilities Management be authorized and directed to proceed with the implementation of the recommendations Accommodations Study and report FAC98007a and report back to City/Regional Councils on a quarterly basis.

James Bruzzese
General Manager, Corporate Services

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Current accommodations do not meet the requirements of the amalgamated administration. After reviewing the buildings available, their condition, and space requirements of the administration, a number of accommodation scenarios were explored based on three basic options listed below. All three options include the use of Hamilton City Hall, the Hamilton Hydro Building and the Parking Services facility on Summer's lane.

Accommodation Options:

1. Fully Utilize the Court House (50 Main Street East);
2. Dispose of the Court House and lease space;
3. Dispose of the Court House and build new.

An overview of the scenarios that were evaluated is attached as Appendix A. Scenario 2E is being recommended as the preferred alternative on the basis that it has the lowest up front capital requirements while still meeting accommodation needs and evaluation criteria. The buildings required for in Scenario 2E are listed in Table 1: The locations of the various Divisions and their departments for this Scenario is attached as Appendix B. The proposed allocation of floors in City Hall is attached as Appendix C.

Table 1 - Locations Required for Preferred Alternative (2E)	
1.	**Hamilton City Hall**
2.	**Hamilton Hydro**
3.	**Summer's Lane**
4.	**31 King Street East** (former Woolworth's)
5.	**100 Main Street East** (Century 21 Building)
6.	**35 King Street East** (lease additional space at the Right House for 160 from 135 current)
7.	**77 James Street North** (lease additional space at Eaton's for 173 from150 current)
8.	**New Lease** for 62 staff (Request Proposals)

Existing leases at 25 Main Street West, 1 James Street South and 110 King Street West would be phased out as part of Scenario 2E, although landlords would be invited to submit proposals for the "new lease" requirements. It is being recommended that a request for proposals be issued to allow a range of offers to be considered for the additional leased space requirements (approx. 12,500 square feet). A number of downtown landlords have indicated that space would be available in their buildings and issuing a request for proposals based on established criteria would provide the opportunity for all interested parties to make submissions.

Two owned buildings, 50 Main St. E. (Court House) and 74 Hughson St. S. (former Health Building), would no longer be required. It is recommended that both properties be declared surplus of municipal needs and either sold or leased.

A financial analysis was undertaken of five scenarios that would best meet the functional requirements for the various divisions and their departments. A summary of the analysis is shown in Table 2. The analysis excluded any costs that would be common to all scenarios. Options to reduce space requirements by providing shared accommodations for field staff who spend most of their time out of the office were also considered and incorporated into the Scenarios 2D and 2E.

Table 2 - Financial Analysis Summary (Millions of Dollars)	**Scenario**					
	Do Nothing	**1C** Use of Court House	**2C** Lease & Dispose of Court House	**2D (1:3)** Lease & Dispose of Court House	**2E (1:2)** Lease & Dispose of Court House	**3A** Build
NPV Cost of Scenario (20 yrs)	$21.8	$24.1	$26.0	$23.0	$24.2	$24.4
Cash Flow of Scenario (20 yrs.)	$40.2	$34.2	$43.1	$38.0	$40.0	$30.1
Initial Leasehold/Capital Costs		$12.5	$6.7	$6.1	$6.4	$20.1
Annual Operating Costs	$3.5	$2.7	$3.2	$3.0	$3.1	$2.7

Scenario 2E is being recommended as the preferred option based on the following criteria:

- One workstation for every two field staff. Sharing one workstation for every three field staff was considered but is not feasible at this time due to technology limitations. Although advances are anticipated, implementation of a 3 for 1 model is not expected for 2-5 years.
- When comparing Scenarios 1C, 2E, and 3A using Net Present Value (NPV), they are not significantly different in cost over 20 years.
- Initial capital/leasehold costs were then considered for Scenarios 1C, 2E, and 3A and Scenario 2E has the lowest cost.
- Brings Divisions together to allow for physical amalgamation.
- Reduces the number of locations from 11 to 8.
- Balances use of leased and owned space.

A total of $12.9 million will be required over the next 3.5 years to implement the preferred Scenario (2E) identified as a result of the Accommodations Study. A summary of the implementation costs is presented in Table 3.

Table 3 - Summary of Implementation Costs for Scenario 2E

Description	Total Cost	Annual Costs			
		1999	2000	2001	2002
Project Management	$867,900	$75,000	$368,298	$212,272	$212,272
Relocation Expenses	$500,000	$25,000	$355,000	$60,000	$60,000
Furniture Replacement	$4,911,200	$500,000	$2,731,200	$840,000	$840,000
Leasehold Improvement Costs	$6,578,416	$750,000	$2,982,976	$1,422,720	$1,422,720
Total	$12,857,516	$1,350,000	$6,437,474	$2,534,992	$2,534,992

Leasehold Improvements - The largest component of the implementation costs is leasehold improvements to the 8 buildings that will be used to accommodate staff. The costs are estimated at $35 per square foot for all locations with the exception of City Hall, which is estimated to cost $38 per square foot because of its irregular shape and the age of the building. GST has been included in the total cost shown above. It is assumed that additional renovations would not be required at Eaton's and 31 King Street East, which were both completed in 1998. Most other areas in leased and owned premises require updating or reconfiguring. Efforts will be made to reduce costs where possible, however, cost estimates are based on providing adequate air distribution, lighting, power, constructing walls as needed and basic finishes to office space. The result will be a functional and professional work environment that allows staff to operate efficiently and effectively.

Replacement Furniture - The other major cost of implementing the Accommodations Study is the replacement of furniture. At this time it is estimated that furniture will be needed for approximately 850 individuals. An allowance has also been included to replace meeting room furniture, particularly in City Hall. Most furniture was purchased prior to the computer being a standard piece of office equipment and is no longer functional. Desk space is limited and is not ergonomic for computer use, creating a health and safety risk. A wide variety and quality of furniture has been purchased over the years, making it difficult to reconfigure. Efforts will be made to reuse or refurbish these pieces where feasible such as in private offices and meeting rooms, however, it will not be possible to achieve the proposed space standards and maximize the use of space without large scale replacement of furniture. Maintaining furniture standards gives maximum flexibility by enabling people to be moved without moving their furniture. Standard furniture also provides consistent working conditions for all staff. There is an opportunity to reduce costs from the estimated amount through coordinated bulk purchases of furniture to obtain better pricing. Any proceeds from the disposal of surplus furniture could also be used to offset costs.

Project Management – These costs include professional fees to plan, design and engineer the leasehold improvements. A full time position with the Facilities Management Department is also required to coordinate and manage the renovations. A temporary position exists within that department and the position would be extended for another three years.

Relocation Costs - Relocation expenses include the cost of hiring moving companies, relocating telephones and installing data lines for computer connections. It is expected that approximately 950 staff will be relocated to achieve the preferred option. Approximately 200 people will be moved twice in order to complete renovations in City Hall.

It should be noted that most of Hamilton City Hall's major building components, such as the elevators, life safety systems, heating, cooling and electrical systems, have reached or exceeded their expected life span. These components must be updated or replaced prior to any cosmetic improvements to the building. The costs associated with this work are discussed in report FAC99003, Hamilton City Hall Base Building Improvements.

On the basis that providing suitable accommodations for the amalgamated administration will equally benefit both the City and Region it is proposed that both corporations jointly finance the implementation costs. A method of financing will be recommended by the General Manager of Finance in a subsequent report, once the preferred option is approved.

It is being proposed that funds received from the sale or lease of the Court House be used to offset the costs of implementing the Accommodations Study. A review to determine other surplus properties and buildings owned by the City and Region is being

undertaken by Corporate Services. Proceeds from the sale of these lands could also be used to finance the implementation of the Study.

A method of allocating ongoing operating costs for space has not been determined. The City and Region did not have consistent practices in this regard and the Consultant has recommended that this matter be reviewed and a suitable policy developed.

The Consultant is also recommending that reserve funds be established for facility renewal and furniture replacement costs. The implementation of such funds and development of coordinated repair and replacement strategies will ensure that in future accommodation requirements can be dealt with on a planned and proactive basis. This concept will be addressed as part of the implementation of the Accommodations Study and a recommendation put forward to Committee and Council.

SUSTAINABLE COMMUNITY IMPLICATIONS:

(Vision 2020, adopted by Regional Council as their vision for the future of Hamilton-Wentworth, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all regional decision-making.)

The preferred accommodations option balances the use of owned and leased facilities, lowering current accommodation costs while at the same time supporting 4 downtown Hamilton properties. Assuming a suitable tenant or owner is found for the Court House, vacating the building will provide the ability to relocate jobs to the downtown core, at a cost of $100,000 over 20 years over the cost of the preferred option.

The leasehold improvement costs will help to stimulate jobs in the construction industry over the next three years.

The implementation of the Study will result in increased efficiencies by improving public access and interactions between staff and divisions. Facilities and working conditions will also be improved increasing the health and well being of occupants.

BACKGROUND:

At the direction of the City Manager, staff began reviewing accommodation requirements for the amalgamated administration in August 1998. An Accommodations Strategy[1] was adopted by City and Regional Councils in November 1998. The approved report recommended that a user needs study be undertaken to determine functional requirements, facilities to be used, estimated costs, and to develop an implementation schedule. As a result of a request for proposals in January 1999, Chamberlain Architect Services Limited was retained to undertake the study.

---

[1] Item 1, Finance and Administrative Services Committee Report 14-98, Accommodation Strategy for the City and Region Amalgamated Administration (FAC98007).

The objectives for the study were to:

- Consolidate staff and reduce the number of work locations
- Develop work space standards so we can move people and not furniture
- Estimate costs
- Develop an implementation strategy

The Accommodations Strategy adopted by the Councils provided the following principles that guided the work: City Hall is to serve as the corporate headquarters and centre of governance and downtown revitalization be considered as a criteria for selecting locations. Given that the reorganization process was ongoing throughout the study and is expected to continue over the next few years, flexibility for change was also recognized as an important guiding principle.

In order to develop accommodation options, Chamberlain gathered information in three areas:

- Workspace requirements and standards
- How the administration is organized and how Divisions interact
- What buildings are available and what repairs or renovations are needed

A staff advisory committee was established to assist in the information gathering process and to provide input on accommodation requirements. Regular updates were also made to Corporate Management Team. Buildings were evaluated by the Consultant as a result of site visits.

The findings and recommendations of the work are detailed in the final draft report, Accommodations User Needs Study, dated June 1999. The Executive Summary and Recommendations Sections of the final draft report are attached as Appendix D. Complete copies of the report are available from the Facilities Management Department.

In the past, the City and Region took a decentralized approach to the provision of space and furniture, leaving departments to meet their accommodation requirements on a case by case basis. The Consultant has made a number of policy recommendations that will facilitate a planned and coordinated approach to accommodations. Adopting the Strategy and undertaking the study are important first steps toward this vision. Adopting the recommendations of the Accommodations Study and moving forward with its implementation will allow the organizations to proceed in this direction. Quarterly updates on the implementation of the study will be made to City and Regional Councils and approval of policies sought as they are developed.

Implementation of the recommendations of the Accommodations Study could be completed by the end of 2002 assuming that implementation begins immediately and renovations to City Hall occur on a floor by floor basis. All other leasehold improvements would be completed by the end of 2000. A proposed implementation schedule is attached to this report as Appendix E and outlines the timing for the various leasehold improvements and relocations. Upon approval of the study, a detailed implementation schedule will be developed in consultation with the General Managers. In all cases, detailed space planning must be undertaken to determine user requirements and floor layouts.

EAG/

Attachments:
Appendix A – Overview of Scenarios
Appendix B – Division and Department Locations for Scenario 2E
Appendix C – City Hall Floor Allocations
Appendix D – Executive Summary and Recommendations
Appendix E – Implementation Schedule

Appendix A - Overview of Scenarios

Legend:

Common to all Scenarios
Included in Scenario
Buildings not Used

BUILDING	Status	Capacity	Scenario (# staff per location)					
			Current Use	1C	2C	2D (1:3)	2E (1:2)	3A
				Use of Court House	Lease & Dispose of Court House			Build
71 Main Street West	owned	450	453	434	434	450	439	434
50 Main Street East	owned	300	4	291				
77 James Street North	leased	150	103	150	150	157	173	0
31 King Street East	leased	140	141	141	141	141	141	141
35 King Street East	leased	135	128	0	181	164	160	0
55 John St. N.	owned	140	0	97	97	97	97	97
Summer's Lane	owned		6	32	32	32	32	32
HECFI	owned		6	0	0	0		20
110 King Street West	leased	50	52	0	0	0	0	0
25 Main Street West	leased	190	188	0	0	44	0	0
100 Main Street East	leased	25	25	25	25	25	25	25
74 Hughson Street South	owned	45	0	0	0	0	0	0
James Street South	leased	20	20	0	0	0	0	0
New Lease	leased		42		110		62	
New Building	owned							421
Total # of Staff in Downtown Hamilton			1168	1170	1170	1110	1129	1170
# of Downtown Locations			11	7	8	8	8	7

Locations Outside the Downtown Core

BUILDING	Status	Capacity	Scenario					
			Current	1C	2C	2D (1:3)	2E (1:2)	3A
55 King William Street	owned		24	19	19	19	19	19
700 Woodward Ave	owned		9	9	9	9	9	9
330 Wentworth St. N.	owned		10	39	39	13	20	39
489 Victoria Ave.	owned		15	15	15	15	15	15
125 Barton St.	owned		18					
350 King Street East	leased		8					
Total # of Staff Considered in Accommodations Study			1252	1252	1252	1166	1192	1252

Note: Number of people shown as "New Lease" in the Current Use column presently do not have space provided for them.

Assumptions - Scenario 2E

Sell/Lease Court House & 74 Hughson St. S.
Utilize 3 owned buildings: City Hall, Hydro, Summer's Lane
Long Term Leases at Eaton's Centre, 31 King E, 35 King E, and new lease

Notes: **Denotes staff who spend most of the time in the field. 1 spot to be provided for every 2 positions, reducing space needs by 61

Current	Division / Existing Locations	Staff	Function		City Hall	New Lease	31 King	Eaton's Centre	35 King	100 Main	HSR	Summers Lane	Woodward Ave	489 Victoria	55 King William	Hydro
	Totals	1252	1192	61	439	62	141	173	160	25	20	32	9	15	19	97
	Community Planning & Development															
	35 King St. E.	24	GM, Development, Land Division, Strategic Planning		24											
	55 King William St.	5	Fire Inspection	**	2.5											
	City Hall	87	Building, City Planning, Development		87											
151	City Hall	35	Building Inspectors	**	18											
	Community Services															
	55 King William St.	19	Fire Prevention												19	
42	City Hall	23	Culture & Rec					23								
	Corporate Services															
	110 King St. W.	7	GM, IT, Mgt Studies		1	6										
	25 Main St. W.	5	Info Technology		5											
	City Hall															
	5th Floor	7	Corp Communications		7											
	Basement	8	Facilities Mgt			8										
	Basement	1	Image Processing		1											
	Main	2	Info Desk		2											
	Main	47	Info Tech		47											
	5th Floor	25	Legal Services		25											
	Basement	7	Mail Room & Print Room		7											
	2nd Floor	29	Municipal Clerk		29											
	Court House	4	Facilities Mgt			4										
	HSR/330 Wentworth St. N.	10	Risk Mgt		10											
158	Mc Nab St.	6	Real Estate		6											
	Economic Development															
20	1 James St. S.	20						20								
	Finance															
	110 King St. W.	45			45											
	35 King St. E.	16	Metered Water Billling		16											
	489 Victoria Ave. N.	15	Metered Water Customer Service											15		
137	City Hall	61			61											

Current Location	Division / Existing Section	# of Staff	Function		City Hall	New Lease	31 King	Eaton's Centre	35 King	100 Main	HSR	Summers Lane	Woodward Ave	489 Victoria	55 King William	Hydro
	Totals	1252	1192	61	439	62	141	173	160	25	20	32	9	15	19	97
	Governance															
	City Hall															
	Council Support Staff	9			9											
	Councillors	16			16											
	Mayor	5			5											
	Regional Chairman	3			3											
43	No Home	10	Regional Councillors		10											
	Human Resources															
44	25 Main St. W.	44				44										
	Senior Management															
3	City Hall	3			3											
	Social & Public Health Services															
	100 Main St. E.	25	Child & Adolescent Services Support Staff							25						
	25 Main St. W.	89	General Health Dept Staff						89							
	25 Main St. W.	19	Public Health Nurses	**					10							
	25 Main St. W.	23	Public Health Inspectors	**					12							
	25 Main St. W.	8	Mgt & Support Staff						8							
	No Home	8	Healthy Babies / Kids (PHN)						8							
	35 King St. E.	26							26							
	31 King St. E.	141	Co-Location				141									
347	350 King St. E.	8	Public Health Nurses						8							
	Transportation, Operations & Environment															
	125 Barton	18	Parks Management					18								
	35 King St. E.	46	Environment F & A, Water/Wastewater													46
	35 King St. E.	16	Waste Management					16								
	700 Woodward Ave.	8	Regional Waste Management										8			
	City Hall															
	1st Floor	11	Traffic & Parking									11				
	1st Floor	15	Community Traffic & Parking									15				
	4th Floor	25	Public Works Mgt / Admin					25								
	1st Floor	15	Traffic Eng & Opns					15								
	Basement	4	Traffic Eng & Opns					4								
	Basement	15	Survey Crews	**							8					
	Eaton's Centre	52	Roads					52								
		49	Design & Construction													49
		2	General Manager													2
	No Home	24	Construction Inspectors	**							12					
	Summers Lane	6	Parking Services									6				
307	700 Woodward Ave.	1											1			
1252	**Total**	1252														

Appendix C - Accommodation Strategy for the City and Region Amalgamated Administration (FAC98007a)

Hamilton City Hall Floor Allocations

Floor	# of Staff	Use
8th	24	Community Planning & Development (Planning)
7th	52	Community Planning & Development (Planning/Building)
6th	55	Community Planning and Development (Building)
5th	51	Information Technology
4th	41	Legal, Real Estate, Risk Management
3rd	61	Finance
2nd	75	Mayor, Regional Chairman, Councillors (City and Region), City Manager, Municipal Clerks, Common Corporate Meeting Rooms, Press
Main	72	Finance, Corporate Communications, Common Counter, Mini Café, Data Centre
Basement	8	Print/Mail Room, Training Rooms, Lockers/Shower, Facilities (Cleaning), First Aid Room, Storage, Smoking Room

The following sections are excerpts from the report "Accommodation User Needs Study – Final Draft " prepared by Chamberlain Architect Services Limited dated June 1999.

Executive Summary

The administrations of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth have joined together through amalgamation. The purpose of this important strategic integration is to deliver more effectively the "hard" and "soft" services required by the ratepayers, at higher quality levels, more efficiently, at lower costs.

A new organizational structure, with appropriate infrastructure, is being implemented to enhance and support the delivery of services. General Managers for the merged divisions have been appointed, and are continuing the transition towards the revised arrangements and staffing.

Revised accommodations for the approximately 1250 administrative personnel, now residing in 11 downtown locations, are required for them to work effectively and efficiently to deliver their mandates. The approved Accommodation Strategy for the Amalgamated Administration of the City and the Region's initial phase of this work set out the requirement for a space functional needs analysis.

This analysis has been completed by Chamberlain Architect Services Limited, under the direction of Beth Goodger, Facilities Management Department, with the aid and participation of a Space Accommodations Committee working on behalf of the eight divisions in the organization.

There are compelling reasons for proceeding with the implementation of the accommodation strategy now. The physical changes brought about through implementing the accommodation recommendations will materially contribute to accomplishing the changes in organization and culture desired by the administrative amalgamation of the Region and the City. There can be amalgamation in name only, if everyone and every division continue to operate as they are now. The physical changes in accommodation will become a launching pad for changes in effectiveness and efficiency.

Within the approved accommodation strategy, Hamilton City Hall has been designated to:

- Serve as the centre of governance for the City and the Region
- Be the principal service point and "one-stop shopping " location for rate payers
- House the Councilors, Mayor, and Regional Chairman and their immediate support staff

Eleven other buildings in the downtown core both leased and owned are available to be selected to provide the additional space requirements Beyond City Hall. New leased space and the development of a new administrative building are options also under consideration.

Guidelines for undertaking the project were to:

- "Move people not furniture"
- Keep Council Chambers at its current location
- Respect the commitment to lease space at Eaton's Centre space for 7 years
- Continue to lease space at 31 King St. E. (Social Services to remain at this location)
- Reduce the current number of administrative locations (11)

The scope and project deliverables requested the consultants to:

- Develop Universal Workspace Standards
- Undertake a Facility Condition Audit
- Recommend the Preferred location of City/Regional Divisions in downtown core buildings
- Prepare Preliminary costing estimates
- Propose an Implementation Plan

The results of the work are summarized following.

The standards developed for workspace footprints & meeting rooms are equivalent to commercial space standards. They were tested against the Eaton's Centre accommodations and found to be a very good equivalent with respect to net and gross space. Using the modular furniture at Eaton's Centre and the universal workspace standards will result in the achievement of current commercial accommodation standards.

These sizes were chosen to ensure flexibility in the future as meeting rooms can be converted to offices and vice-versa, as required. It should be possible to reserve the Council Chambers for meetings with 50 or more personnel.

Each of the divisions should have a number of small meeting rooms for their own ad hoc intradepartmental meetings. These rooms should also be available to transient and field staff as temporary office space with access to e-mail and the main server.

In general the buildings under consideration were in relatively good condition, subject to normal maintenance and base building refurbishment.

According to estimates by others, Hamilton City Hall requires $15.8 million (m) to be spent on base building refurbishment. Spending of $.5m in 1999, followed by $5m in 2000 and 2001 are needed to refurbish key building systems, such as mechanical, electrical, and life safety. This will allow the leasehold improvements to proceed, so that the whole accommodations program and benefits can be accomplished.

On a **Cash Flow** basis, construction of a **New Building** on the City Hall site, followed by **Full Use** of the Court House, are the preferred alternatives. The **Leasing** options with **Sale** of the Court House are close behind. The cash flow rankings reflect the number of personnel in leased facilities from the lowest number to the highest number. This is because, with enough time the cost of leasing is avoided through ownership of facilities, all other factors being equal.

On a **Net Present Value** (NPV) basis, the options for **Sell** the Court House and lease rank ahead of **Full Use** of the Court House or **New Building.** The change in ranking is due to the amount of money spent early in the annual stream of disbursements for the **New Building** and **Full Use** of Court House leaseholds. This is because money spent early in the flow of funds is worth much more than money spent later on in an NPV basis.

The option recommended for the City / Region Administration is to **Sell** the Court House and continue to **Lease** space in several downtown buildings. Accommodation is to be based on the recommended workspace standards, with accommodation for field staff on a one for two basis using 48 sq. ft workstation footprints. Modular furniture, as used at the Eaton's Centre, is recommended for use with the "open" footprints.

The benefits of the recommended accommodation strategy are that City Hall:

- Continues to serve as the centre of governance for the City and the Region
- Is the principal service point and "one-stop shopping " location
- Houses the Councilors, Mayor, and Regional Chairman
- Physically contributes to the integration of Divisions and cultures, providing opportunities for performance improvement

In addition, key division adjacency requests are satisfied.

Implementing the "right" adjacency, along with commercial office accommodations, footprints and modular furniture should increase employee performance by up to 2%, according to recent articles on this subject. Reasons for non-performance with respect to space and accommodation can be eliminated.

In addition, when field staff are accommodated on a one for two basis, the recommended accommodation strategy yields savings in leased space costs of approximately $90,000 annually. Savings of approximately $400,000 in modular furniture augment this. Furthermore, this feature of the accommodation strategy is an

opportunity for the City to modify its management practices and increase the use of technology at the operating level.

The total costs for the project are estimated at $12.8 million (m). This excludes a preliminary estimate of City Hall Refurbishment costs of $15.8m.

The approach developed for implementation has three key premises:

- Commence base building refurbishment at City Hall
- Clear a floor in City Hall so that leaseholds can begin on a floor by floor basis. (The 4th floor will become the first floor available for leasehold improvements.)
- Try to move people only once

This approach will allow City Hall to be refurbished and undergo leasehold improvements with minimum disturbance and moving of the various divisions and governance personnel.

The meetings and discussions with the Space Accommodations Committee yielded the following ideas:

- Locate food services on the main floor of City Hall to better serve the public
- Review the policy of no food and drinks in Council Chambers which may contribute to its low utilization for Standing Committee meetings
- Review City Hall parking garage arrangements and use of fleet vehicles
- Have an appeal process for disputes with respect to workspace assignment
- Develop a policy for stewardship over space, centralized vs. decentralized
- Use Court House as temporary accommodation for departments while their leasehold improvements are underway
- Have a "Common Counter" on 1st floor of City Hall (Kiosks used at Toronto City Hall)
- Tune into customer dichotomy. Seniors may want to do business in person. Baby boomers and the Ex Generation may favour using technology, (Auto bank transfers, e-mail, VISA, and so on). Therefore make it easy for everyone to do business with the City.
- Performance Standards and Performance Measurement will help to quantify the performance improvements which should accrue to the City due to amalgamation and effective accommodation for the combined staff

The report, which follows, provides a comprehensive overview of the work done, the findings and the detailed recommendations.

RECOMMENDATIONS

8.0 GAPS AND OPPORTUNITIES

This project has addressed the issue of space standards, furniture standards and policy, and overall accommodation of all the divisions to enhance effective delivery of services. Several areas that were not part of the scope of work were identified during the engagement and are detailed in this section for further consideration by the municipality.

8.1 UNDERTAKE A FACILITY CONDITION AUDIT OF CITY HALL

Hamilton City Hall has been designated as the corporate headquarters. According to preliminary estimates, it requires nearly $16,000,000 to be spent on base building refurbishment. A Facility Condition Audit is required to confirm the amount, and the timing of the spending in relation to the City Hall leasehold improvements. This will allow the leasehold improvements discussed in the previous section to commence so that the whole accommodations program and benefits set out in this report can be realized.

8.2 CONSIDER PAYMENT FOR SPACE USAGE

Before amalgamation, it was the practice of the Region to devolve the budget for space. Each department had an account for space costs and some degree of latitude with respect to adding or reducing space usage. In effect, each department paid rent for the space it occupied. It could be said that this practice increases awareness that space and furniture, along with leasehold improvements are not free. Requests for additional space had budget consequences to the requesting department.

At the same time, City departments are given no budget for space costs. The City has no internal charging for the use of space. The Facilities Management Department processes requests for additional accommodation or changes in current accommodation. Decisions are taken at the City Manager and General Manager level. Each decision is taken on its' own merit. Justifications for additional space had few, if any, budget consequences to the requesting department. It could be said that this practice is sound or unsound depending on the degree of centralization or decentralization of decision making.

There are several factors to be taken into consideration in the development of a policy for the newly integrated administration:

- If budgets are devolved, does autonomy over the funds go with the budget in terms of using the money for other priorities?

- If budgets are devolved what space policies remain centralized?
- Does everyone get to select their own accommodation and furniture?
- Can departments redirect their spending on programs using money assigned to "rent"?
- How would a department increase its operating budget in the event that additional space was justified?
- How would the effective usage of space be measured and monitored?
- What would be the consequences for inappropriate use of space?
- What is the "right" balance between central policy and decentralized execution?

Development of a corporate policy for the use and payment for space is a very sensible step and it is recommended that this be undertaken in the near future. The issues to be resolved for everyone's benefit are somewhat complex and should fit the culture of the organization. It will require considerable thought and discussion with all of the stakeholders to arrive at one that contributes to improved performance and customer service.

8.3 Increase Use of Satellite Facilities

This report recommends the use of municipal and regional locations as remote workstations for all staff who are regularly in the field. These remote workstations could also be used by anyone else who needs to connect to the main server, send and receive E-Mail, or update files and schedules used by others. This practice supports the full use of technology in the delivery of services, which is part of the paradigm for operating in the new millennium.

Steps to review the utilization of facilities outside the downtown core and establish these satellite work locations should be undertaken in parallel to the implementation of the Accommodations Plan.

8.4 Establish Leasing Criteria and Standards

It is recommended that criteria and standards for leasing space be developed before any additional space is leased. The existing leased locations were acquired by the Region on an a case by case basis, resulting in a wide variety of conditions with respect to lease terms, use of space, level of leasehold improvements, and building condition.

Facility condition audits should be obtained prior to entering into any lease to determine the condition of the building and its structural components, electrical and mechanical systems. Such practices are not currently in place and as a consequence, heating / cooling concerns are common problems encountered in

leased premises. These could have been identified if condition audits were mandatory.

Leasing criteria should include: condition of the building, proximity to City Hall, availability of parking, public accessibility, barrier free access, building security, and minimum standards for air quality. It is recommended that a request for proposals be issued to local landlords for the provision of the leased space at a single location, as required by the preferred option, Scenario 2E.

8.5 Establish A Reserve Fund For Major Maintenance of Owned Buildings (Capital Renewal of Facilities)

This report has discussed the major maintenance requirements (capital renewal maintenance) of City Hall and other buildings in the City / Region inventories. These major maintenance and capital renewal items are outside the normal scope of building operating and repair costs. The significance of the deferred renewal / maintenance, which is usually capitalized, means that the leasehold improvements to City Hall should proceed only after a number of the base building systems are replaced.

Having a capital reserve fund for facility renewal requirements and major building maintenance would have allowed the major repairs to building systems, elevators, and finishes to proceed as required, in smaller amounts, and prevented the resulting "tidal wave" of deferred maintenance.

The amount of funds assigned to reserve funds for major capital maintenance is usually set at 1 ½ to 2 % of the initial "hard" cost of construction. This means that over the expected 50-year life of a building, major capital maintenance spending on building systems, roof repairs and building "cladding", equal to the original capital costs should be expected and planned for. A more precise percentage for Hamilton could be determined through analysis of the major maintenance spending over the last 25 years or so.

Conducting a proactive building renewal major maintenance program contributes to the provision of a positive work environment for employees, and avoids delays to required building use modifications that may be required because of changes in how a building is used. In addition the suggested program maintains the asset value of the inventory, an important consideration when assets are put up for sale or lease.

8.6 Establish a Reserve Fund for Furniture Replacement

Similar to the fund proposed for the renewal and repair of facilities, establishing a reserve for furniture replacement would enable furniture to be replaced on a scheduled basis. Furniture is currently budgeted for and purchased by individual departments. As a result, a wide variety and quality of furniture has been used. Criteria for purchasing, maintaining, repairing or replacing furniture should be established and implemented so there is consistency within the organizations.

8.7 Use the Proceeds From the Sale of the Health Building at 74 Hughson St. to Offset Costs

Disposal of 74 Hughson St. has already been recommended. The proceeds of disposal could be used to offset the base building refurbishment of City Hall or implementation of the preferred option, scenario 2E.

9.0 Summary of Recommendations

This section contains a summary of recommendations extracted from the body of this report to assist the reader to focus on the highlights:

9.1 Space Standards

- Adopt the Proposed Space Standards (Exhibit 3)
- Adopt the Proposed Meeting Room Standards (Section 3.4)
- Develop policy and criteria for use of private offices
- Assign a Facilities Management person to maintain internal equity
- Use a single modular furniture system, as found at Eaton's Centre to maximize space utilization and flexibility, (move people, not furniture)
- Accommodate field staff in 48 sq. ft workstations on a "one for two" basis to reduce space usage and cost of modular furniture workstations
- Extend space standards to all City / Region offices for consistency
- Initiate central scheduling of meeting rooms larger than 100 sq. ft by City Hall main floor reception staff to achieve high utilization of meeting rooms and ensure users of their availability through advanced "booking"

9.2 Facilities

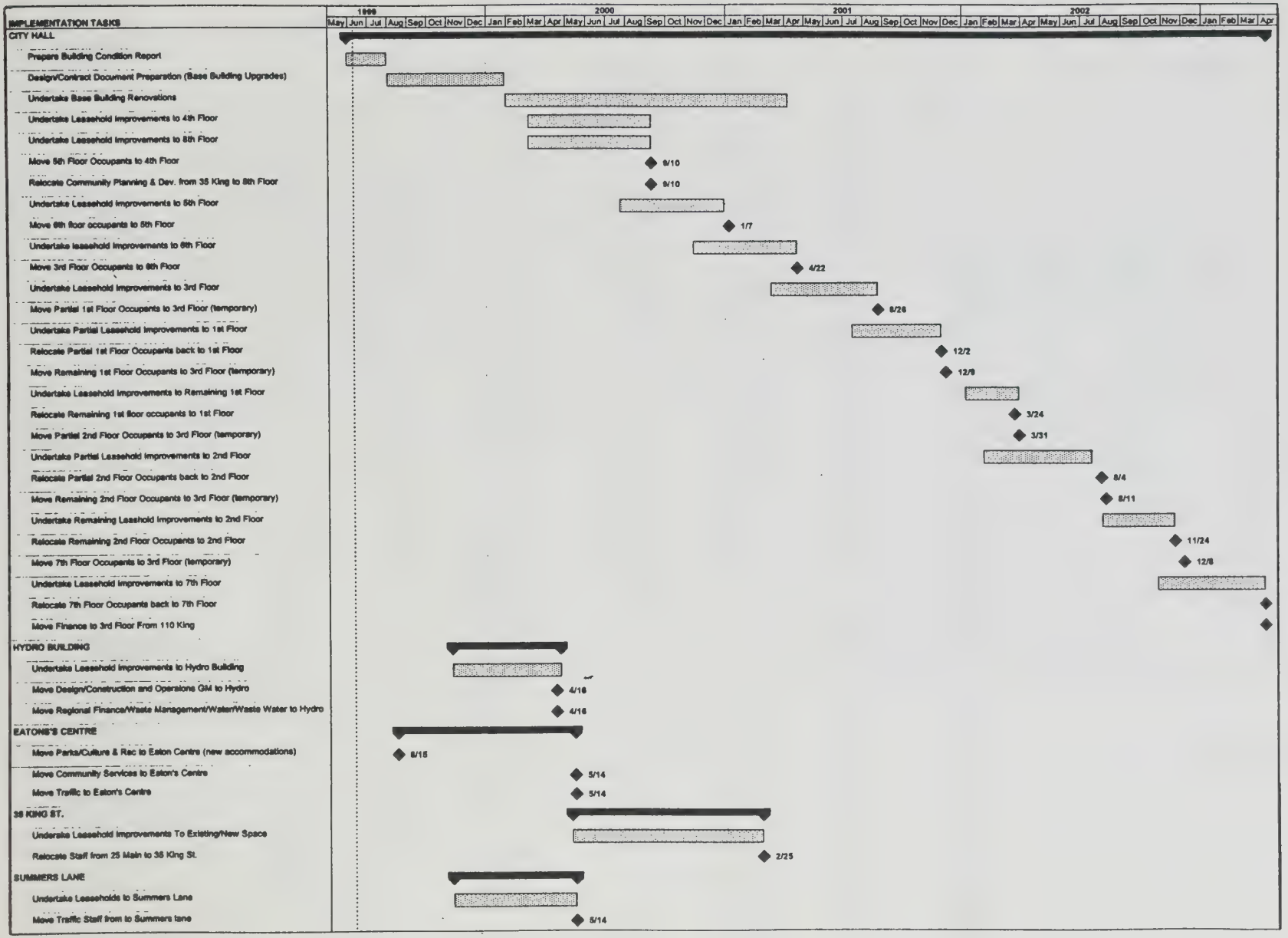
- Authourize a Facility Condition Audit of City Hall, and implement necessary base building upgrades so the accommodation strategy can be implemented
- Fully utilize the following owned facilities: City Hall, Hamilton Hydro, and Parking Services Facility on Summer's Lane (80 Main St. W.)
- Continue to lease space at Eaton's Centre and 31 King St, lease additional space at 35 King St. E. and Eaton's Centre (77 James St. N.); and issue a request for proposal to lease an additional 13,000 square feet (space for 65 staff).
- Review leasehold requirements for 100 Main St. E. prior to lease expiry in April 2000.

- Use remote municipal and regional locations as temporary work places for field staff and other administrative staff to increase flexibility and reduce unproductive travelling time
- Dispose of the Court House (50 Main St. E.)
- Dispose of 74 Hughson St. (former Health Building) and use proceeds to offset implementation costs
- Establish and apply leasing criteria and standards to new leased space negotiations

9.3 IMPLEMENTATION

- Adopt Scenario 2E, Sell Court House and lease, with field staff accommodated on a "one for two" basis, as the preferred scenario

Implementation of these recommendations is the key to long term effective administrative amalgamation, facilities management, and cost effective delivery of administrative services to city ratepayers.



Appendix E – Implementation Tasks & Schedule
Accommodations Study

Report FAC98007a

5(b)

CITY OF HAMILTON

-RECOMMENDATION-

DATE: June 11, 1999

REPORT TO: Chairman and Members
Finance and Administration Committee

FROM: J.P. Bruzzese
General Manager, Corporate Services

SUBJECT: **Hamilton City Hall Base Building Improvements (FAC99003)**

RECOMMENDATION:

a) That preliminary design of base building improvements at Hamilton City Hall be initiated in 1999 at a cost not to exceed $500,000;

b) That base building improvements at Hamilton City Hall be included for consideration in the 2000-2005 capital budget undertaken over a four year period starting in 2000, at a cost not to exceed $15.3 million;

c) That funds for improvements to Hamilton City Hall grounds be included for consideration in years four and five of the 2000-2005 capital budget, at a cost not to exceed $4 million;

d) That the General Manager of Corporate Services be authorized to award any necessary contracts and purchase orders required to undertake the preliminary design of the base building improvements at Hamilton City Hall, provided that:

   i) The recommended bidder meet specifications and is the lowest bid;
   ii) The cost of the works to be awarded shall not exceed the cumulative amount of $500,000 (inclusive of taxes).

e) That the General Manager of Finance recommend a method of financing for recommendation a).

TABLED F&A
App'd by Committee June 15/99.

App'd by Council

James Bruzzese
General Manager, Corporate Services

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Hamilton City Hall was constructed in 1958. The building has been well maintained, however, its major building components have, in most cases, exceeded their expected life. The City Hall grounds also have not been updated since the building was completed. Although submissions have been included in previous Capital budgets, financial constraints and other priorities have deferred the major refurbishment that is required at this facility.

The urgency to address these capital repairs has been increased by the Accommodations Strategy and Study that was recently completed. City and Regional Councils designated City Hall as the corporate headquarters for the new amalgamated administration. Renovations are required throughout most areas of the building to replace tired or inappropriate finishes, improve floor layouts, and address acoustic concerns on the upper floors that result from the open-grated ceiling finish. Notable exceptions to this would be the Council Chambers and some areas of the main floor. These renovations cannot be undertaken without updating the base building.

Irrespective of the Accommodations Study, immediate steps should be taken to evaluate the building systems and determine the nature and cost of the required modifications. Most of the systems are working borrowed time and failure could have serious implications on the operations in the building. As an example, elevator downtime is now a regular occurrence and, on average, service calls are required on a weekly basis.

Funds to address the grounds have also been incorporated in order to provide the full scope of costs associated with the City Hall property. The annual maintenance budget for concrete repairs is $60,000. This amount allows only tripping hazards and major cracks are to be addressed. The grounds also do not meet current barrier free access standards.

Upon approval to proceed, a detailed Facility Condition Audit would first be undertaken. This information would then be used to undertake the preliminary design and engineering of the building systems. The cost of this phase of the improvements is estimated at $500,000. Requests for proposals for this work would be issued to architectural/engineering firms. Detailed specifications and drawings would subsequently be prepared and tenders issued for the work in early 2000. The total cost for professional fees is estimated at 10% of the renovation costs. These fees also include monitoring the renovations during the construction phase to ensure the work is done in accordance with the specifications.

Chamberlain Architect Services has estimated that approximately 12 months would be required to undertake the upgrades and leasehold improvements required as part of the

Accommodations Study could occur at the same time. Costs have been initially estimated in the order of $70 per square foot but will be verified as part of the design phase. The estimate for the improvements to the grounds is based on a study completed in 1993. A budget estimate is shown in the table below.

Description	Cost
Building System Upgrades ($70 per square foot)	$12,950,000
Elevator Upgrades	$800,000
Facility Condition Audit	$35,000
Design/Engineering (@ 10%)	$1,295,000
Data collection/Contingency Allowance	$735,000
Grounds Refurbishment	$4,000,000
Total Estimated Costs	$19,815,000

Funds for construction and grounds improvements would be included as part of the 2000-2005 capital budget.

City properties are being inventoried and rationalized as part of a study that will be undertaken by Corporate Services. It is likely that surplus lands will be identified and proceeds from the sale can be used to offset capital costs associated with City Hall.

Although Hamilton City Hall will be jointly used by the City and Region, it is being recommended that these capital improvement costs be funded by the City as the building is its asset. The capital costs were identified prior to the amalgamation and had been deferred. Any future costs, including leasehold improvements, will be jointly funded.

SUSTAINABLE COMMUNITY IMPLICATIONS:

(Vision 2020, adopted by Regional Council as their vision for the future of Hamilton-Wentworth, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all regional decision-making.)

N/A

BACKGROUND:

A number of the key building systems at Hamilton City Hall have reached or exceeded their useful life. Present conditions are resulting in health and safety concerns for occupants and visitors. Risk of failure continues to increase and could have serious implications on the operation of the building. Concerns include:

- **Mechanical Equipment** – This includes heating, cooling and plumbing systems. The distribution systems are original and have exceeded their expected life span. Maintenance costs continue to increase.

- **Elevators** – The elevators are original and have not been upgraded. Regular problems are being experienced.

- **Electrical Distribution Services** – Although the building has sufficient electrical service, the distribution system was designed in the 1950s when power requirements were much lower and computers were not used.

- **Life Safety Systems** – The building does not comply with the current building code and the life safety systems would need to updated in order to receive a building permit for any significant renovation that is undertaken. The building requires sprinklers, heat and smoke detection system, an updated fire alarm system, and an exit stairwell on the east wing.

- **Barrier Free Access** – Efforts have been made to provide barrier free access modifications both inside the building and to the grounds, however, full compliance can not be achieved without a complete redesign and renovation.

- **Indoor Air Quality** – Temperature control is difficult due to the age of the heating and cooling systems resulting in noticeable variations from one side of the building to another and extremes between seasons. The current system does not have the capability to individually control temperature from one area or office to another.

The building's exterior finishes and windows also require repairs and replacement. As previously mentioned, redevelopment of the City Hall grounds is also necessary. The concrete courts that surround the building are original and are rapidly deteriorating. The 1993 study estimated that the cost of the repairs would be from $3 million to $5 million, depending on the extent of the work undertaken.

EAG/

URBAN MUNICIPAL
CA4 ON HBL A05
A31
1999

The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

June 25, 1999

MEETING OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON

URBAN MUNICIPAL
JUN 28 1999
GOVERNMENT DOCUMENTS

Tuesday, June 29, 1999
7:30 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL
JUN 28 1999
GOVERNMENT DOCUMENTS

J. J. Schatz
Municipal Clerk

AGENDA

1. ***National Anthem.***

2. ***Opening Prayer:*** Reverend Wayne Irwin, Centenary United Church

3. (a) ***Recognition:***

   Biddizzi Sali e Surfaru, Italian Delegation from Racalmuto

   (b) **Certificates of Recognition**

   424 Transport and Rescue Squadron

   Commanding Officer, Lieutenant-Colonel Peter McKeage
   Commanding Officer, Wing Commander (Retired) Robert W. Norris

   Commanding Officer, Lieutenant-Colonel Peter McKeage to make presentation to the City of Hamilton

   (c) **Hamilton-Wentworth Branch of the Victorian Order of Nurses**

   Janis North

(d) **Athletes of the 1999 International Children's Games**

City Rep's ICG Millenium Festival Reps	Bernie Morelli, Ross Fair Dr. Gene Sutton, Cathie Miller Greg Maychak John Kiriakopoulos
Chaperones	Joanne Anderson, Bill Urie

Track and Field

Coach	Richard Gelder
Athletes	Rachel Taylor, Jessie Gillie, Laura Moulton, Brent Schmidt, Julien Youngblud, Adam Nelade, Aubrey Fawcett

Girls Basketball (Bronze Medalists)

Coach	Theresa Burns
Athletes	Natalie Downey, Jessi Tomasin, Jessica Lamparski, Tara Boyce, Shauna Eisenberg, Justine Panavas, Katelyn MacFarlane

Boys Basketball (Gold Medalists)

Coach	Joe Raso
Athletes	Andrew Zorko, Dejan Grkovic, Merwin Quinto, Kevin Condron, Mark Valvasori, Kbre-Ab Hamilton, Ryan Walker

4. ***Adoption of the minutes of the meetings held:***

   (a) May 25, 1999 (Regular Meeting)
   (b) June 15, 1999 (Special Meeting)

5. ***Correspondence.***

6. ***Reports of the Standing Committees:***

   (a) Transport and Environment Committee.
   (b) Parks and Recreation Committee.
   (c) Planning and Development Committee.
   (d) Finance and Administration Committee.
   (e) City of Hamilton Licensing Committee.

7. ***Notice of Motion from previous meeting – Alderman Caplan***

8. ***Notices of Motion for next meeting.***

9. ***(a) Appointment of an Acting Mayor for the month of July, 1999.***
   (b) Appointment of an Acting Mayor for the month of August, 1999.
   (c) Appointment of an Acting Mayor for the month of September, 1999.

10. ***Question Period.***

11. ***Adjournment.***

MINUTES

4(a)

Minutes of Hamilton City Council
Tuesday, May 25, 1999
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli, D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played on the harp by Lauren S. Hill.

Rabbi Baskin, Anshe Sholom Temple led Council in prayer.

PRESENTATIONS

Mayor R. Morrow presented Certificates of Recognition to the Coronation Park Housing Company Ltd. Retiring Board Members. In attendance were: Reverend Dave Stephens, Brian Peterson, Reverend Roger Peterson, Reverend Jim Managhan, Eve MacGray, Ken Gilmour, Jean Weaymouth, Bob MacInnis, and Bill Walker

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Mayor R. Morrow presented a Certificate of Recognition to Michael Belshaw for winning the Hamilton Highschool Science Fair.

ADOPTION OF MINUTES

The minutes of the meetings held May 11, 1999 (regular) and May 18, 1999 (special) were adopted as circulated.

CORRESPONDENCE

1. Letter dated May 7, 1999 from R. Scott Smith, Secretary, Hamilton Harbour Commissioners respecting Financial Statements for the year ending December 31, 1998 as prepared by the Commissioners' Auditors, PricewaterhouseCoopers.

   Referred to the Finance and Administration Committee.

2. Application dated May 14, 1998 from Robert Shelley Construction Ltd. for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Blocks "1" and "2") for property north of Rymal Road East fronting on Eaglewood Drive, Hamilton, Ontario.

   Received.

3. Application dated May 20, 1999 from Hugh MacLeod, 86 Herkimer Street, Hamilton, Ontario for a Removal of Holding Provision from "D" – "H" (Urban Protected Residential – One and Two Family Dwellings, etc. Holding) District to "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District modified for 27 Dundurn Street North, Hamilton, Ontario.

   Received.

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –17.

NAYS: -0. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE – TWELFTH REPORT

Section 11 Re: Bill C-32: A By-law to Adopt Official Plan Amendment No. 159 respecting lands located on the West Side of Upper Wentworth Street, North of Rymal Road East, within the Barnstown Neighbourhood

It was moved by Alderman Copps and seconded by Alderman Haining that Section 11 of the Twelfth Report of the Planning and Development Committee be amended by adding sub-section (d) as follows:

11. (d) C-32 A By-law to Adopt Official Plan Amendment No. 159 respecting lands located on the West Side of Upper Wentworth Street, North of Rymal Road East, within the Barnstown Neighbourhood. **CARRIED.**

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Rule No. 9 Re: Hamilton Harbour Commissioners' Land Use and Development By-law

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Amendments to the Hamilton Harbour Commissioners' Land Use and Development By-law.

CARRIED.

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Section 12 Re: Hamilton Harbour Commissioners' Land Use and Development By-law

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 12 be added to the Twelfth Report of the Planning and Development Committee for 1999 as follows:

12. **Hamilton Harbour Commissioners' Land Use and Development By-law**

WHEREAS the authority of the Hamilton Harbour Commissioners to regulate and control the use and development of land and property is

strictly limited, in particular, by the provisions of ss. 4, 12 and 15 of the *Hamilton Harbour Commissioners Act*, S.C. 1912 c. 98 as amended;

AND WHEREAS the Standing Joint Committee of the Senate and the House of Commons for the Scrutiny of Regulations requested amendments to the Land Use and Development By-Law passed by the Hamilton Harbour Commissioners on July 27, 1990 (SOR/90-449) to clarify that such By-Law did not regulate private property or rights, so as to conform to the limits established by s. 12 of the *Hamilton Harbour Commissioners Act*;

AND WHEREAS the City of Hamilton has received notice that the Hamilton Harbour Commissioners, at their board meeting of April 22, 1999 passed a By-Law Amending the said Land Use and Development By-Law;

AND WHEREAS the Hamilton Harbour Commissioners held no public consultations, and provided no other opportunity for the City to comment on the amendments to the said By-Law before they were passed;

AND WHEREAS the Council of the City of Hamilton is concerned that the amendments to Schedule I to the said By-Law appear to extend the provisions of the By-Law to lands which are not water-front property, and hence outside the limits of the Harbour of Hamilton and the jurisdiction of the Hamilton Harbour Commissioners as defined by ss. 4, 12 and 15 of the *Hamilton Harbour Commissioners Act*;

NOW THEREFORE BE IT RESOLVED THAT:

(a) The Hamilton Harbour Commissioners be requested to confirm whether the thin strip of lands located to the northeast of the intersection of Burlington Street and Sherman Avenue, which extends southwards from the extreme eastern edge of the shaded block of lands to the east of Pier 15 on Schedule "I" (as attached hereto and marked as Appendix "J"), adjacent to the Stelco lands, are private property; and

(b) The Joint Standing Committee of the Senate and the House of Commons for the Scrutiny of Regulations be requested to review the amendments to the said By-Law and to consider whether the shaded lands on Schedule I are water-front property, and if not, whether they are outside the limits of the Harbour of Hamilton and the jurisdiction of the Hamilton Harbour Commissioners as defined by ss. 4, 12 and 15 of the *Hamilton Harbour Commissioners Act*.

(c) The Minister of Transport be requested to consider the above-noted issues in connection with any request for confirmation of the amendments to such By-Law under s. 20 of the *Hamilton Harbour Commissioners Act*. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE – TENTH REPORT

Section 8 Re: 1999 Summer Meeting Schedule

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1. **CARRIED.**

RESOLUTION

Rule No. 9 Re: 1999 General Grants

It was moved by Alderman Caplan and seconded by Mayor Morrow that Rule No. 9 of the City's Procedural by-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the 1999 General Grants.
CARRIED.

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Re: Resolution regarding 1999 General Grants

It was moved by Alderman Caplan and seconded by Mayor Morrow that:

1. 1999 General Grants

(a) That the 1999 General Grant Recommendations as outlined in Appendix "A", Column 3, attached hereto, be approved in the total amount of $145,880 and funded from within the Grants Centre CH 200XX; and,

(b) That a report be forwarded to Council with respect to all of those applications indicated in (a) above as tabled and pending.

2. Lakeland Pool Capital Grant

That a Capital Grant in the amount of $35,000 to Lakeland Family Pool Association be approved, and funded from the Reserve for Capital Projects Centre CH00203.

Recorded vote on Section 2.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico. –16.

NAYS: Alderman O'Sullivan. -1. **CARRIED.**

NOTICE OF MOTION FOR NEXT MEETING

Alderman Caplan gave notice that he would move at the next regular meeting of City Council the following:

That the City of Hamilton, as a millenium project, plant 1,000 trees over the next ten (10) years; and

That the increase of our urban forest be dedicated in an appropriate manner to honour Hamiltonians.

ACTING MAYOR FOR THE MONTH OF JUNE, 1999

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman A. Horwath be appointed Acting Mayor for the month of June, 1999.

CARRIED.

* * * * * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 8:55 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

M. Rallo,
Acting Municipal Clerk
May 25, 1999
MAR/dg

4(b)

Minutes of the Special Meeting of City Council
Tuesday, June 15, 1999
5:45 o'clock p.m.
Council Chambers, City Hall

The Council met:

Present: Mayor R. M. Morrow, Chairman.
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli, D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger, T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico.

Absent: Alderman D. O'Sullivan – Other Business

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the Report of the Parks and Recreation Committee with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico. –16

NAYS: -0. **CARRIED.**

PARKS AND RECREATION COMMITTEE – SEVENTH REPORT
Ivor Wynne Stadium – Concerts

It was moved by Alderman Eisenberger and seconded by Alderman D'Amico that Section 1 of the Seventh Report of the Parks and Recreation Committee for 1999 be amended by adding the following in Sub-section b) following the words "fundraising concert";
"with contemporary adult music" **CARRIED.**

Section 1 Re: Ivor Wynne Stadium – Concert

Recorded vote on Section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Collins, Eisenberger, Anderson, Kelly, D'Amico. –9.

NAYS: Aldermen Kiss, Morelli, Haining, Copps, Wilson, Charters, Jackson. -7.**CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Parks and Recreation Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico. –16.

NAYS: -0.

CARRIED.

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City Council then adjourned at 7:20 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

J. J. Schatz, Municipal Clerk
June 15, 1999
JJS/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SEVENTH** Report for 1999 and respectfully recommends:

1. Ivor Wynne Stadium Concert- Morgan Firestone Foundation & September Seventh Entertainment Limited

a) That the City Council's decision of May 10, 1999 to permit the use of Bayfront Park for a fund-raising concert organized by the Morgan Firestone Foundation and September Seventh Entertainment Limited be rescinded; and

b) That City Council on a one time basis set aside and permit the site specific prohibition of concerts to the Morgan Firestone Foundation et al. to use Ivor Wynne Stadium for a fundraising concert with contemporary adult music; and, **AMENDED.**

c) That the General Manager, Community Services be authorized to negotiate a contract and rental rate in a form satisfactory to the Director of Legal Services and Corporate Counsel; and,

d) That the General Manager, Community Services be directed to report back to the Parks and Recreation Committee on the impact of the Concert.

Recorded vote on Section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Collins, Eisenberger, Anderson, Kelly, D'Amico. –9.

NAYS: Aldermen Kiss, Morelli, Haining, Copps, Wilson, Charters, Jackson. -7.**CARRIED.**

2. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

B-1 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Tina Agnello
Secretary
June 2, 1999

CORRESPONDENCE

Correspondence:

1. Information Report dated June 14, 1999 from J. J. Schatz, Municipal Clerk respecting an objection to Zoning By-law 99-058 respecting 723 Rymal Road West, Hamilton. (previously distributed)

   Recommendation: Be Received.

2. Application dated June 9, 1999 from Chedoke Health Corp., for an Official Plan Amendment to redesignate the subject lands from "Residential" to "Institutional" and for a further modification to the established "DE-3" "H" Multiple Dwellings (Holding) District to permit a nursing home and to remove the "H" – Holding Symbol for property on Chedmac Drive west of Rice Avenue, Hamilton, Ontario.

   Recommendation: Be Received.

3. Application dated June 2, 1999 from Carol Fazzari, 465 Bush Drive, Ancaster, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) for 1359 Upper James Street, Hamilton, Ontario.

   Recommendation: Be Received.

4. Application dated June 4, 1999 from Paul Silvestri, 120 King Street West, Suite 1000, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District for property at the north-west corner of Upper Wellington Street and Rymal Road East, Hamilton, Ontario.

   Recommendation: Be Received.

5. Application dated May 31, 1999 from Hamilton Habitat for Humanity, 255 West Avenue North, Hamilton, Ontario for the Removal of the "H" Holding Provision and modification to the established "R-4" (Small Lot Single Family) District for lands located on the south side of Loconder Drive between Upper Gage and Queen Victoria Drive, Hamilton, Ontario.

   Recommendation: Be Received.

6. Application dated June 18, 1999 from Hamilton-Burlington and District Real Estate Board, 505 York Boulevard, Hamilton, Ontario for a change in zoning from "L-mr-2" (Planned Development – Multiple Residential) District Modified to "G-3" (Public Parking Lots) District (Block "1" and "L-mr-2" (Planned Development – Multiple Residential) District to "G-3" (Public Parking Lots) District (Block "2") for 39-41 Devonport Street, Hamilton, Ontario.

Recommendation: Be Received.

TRANSPORT AND ENVIRONMENT COMMITTEE

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1999 and respectfully recommends:

1. **To stop-up and sell the alley on Registered Plan 272, lying between Glenfern Avenue and Amelia Street. To sell a portion of closed alley on Registered Plan 275, lying between Lots 34 and 35 (TOE99003)**

   (a) That the by-law:

      (i) To stop-up and sell the alley on Registered Plan 272 lying between Glenfern Avenue and Amelia Street, designated as Parts 1 to 9, 14 and 15, on Plan 62R-14134; and,

      (ii) To sell a portion of the closed alley on Registered Plan 275, lying between Lots 34 and 35, designated as Part 11, on Plan 62R-14134

   to the abutting owners, be prepared to the satisfaction of the Corporate Counsel and enacted by Council; and,

   (b) That the General Manager of Transportation, Operations and Environment, be authorized and directed to register the by-law at the Land Registry Office.

2. **To stop-up and sell the public walkway lying between Forestgate Drive and Wendover Drive (TOE99006)**

   (a) That the by-law to stop-up and sell the public walkway lying between Forestgate Drive and Wendover Drive, designated as Block B, on Plan M-127, to the abutting owners, be prepared to the satisfaction of the Corporate Counsel and enacted by Council; and,

   (b) That the General Manager of Transportation, Operations and Environment, be authorized and directed to register the by-law at the Land Registry Office.

3. **Proposed Closure of a Portion of Limeridge Road East, west of Upper Ottawa Street (PWT99009)**

(a) That the by-law to alter Limeridge Road East, from Upper Ottawa Street to approximately 32 metres westerly, by narrowing the roadway from the existing width of 19 metres to a road width of 5.4 metres and closing the road to westbound traffic, be passed and enacted; and,

(b) That the closure be implemented on a six-month trial basis, commencing not before August 1, 1999, and that the implementation of the barriers be delayed pending the opening of the Mud Street extension.

4. **Routine Amendments to the City Traffic By-law 89-72 Transport and Environment Committee Meeting – June 21, 1999 (PWT99007)**

That the routine amendments listed in Appendix "A" attached hereto be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

5. **West 3rd Street, between Monarch Road and Wembley Road (PWT99010)**

(a) That the existing "Permit Parking" regulation on the west side and "No Parking" regulation on the east side of West 3rd Street between Monarch Road and Wembley Road be replaced with a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation in conjunction with an "Alternate Side Parking" regulation such that parking is prohibited:

(i) on the east side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November; and,

(ii) on the west side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

6. **To incorporate certain City land into various streets by By-laws (TOE99005)**

(a) That the following City land be incorporated into the following streets:

Distin Drive	Block 46	Plan 62M-848
Sundown Drive	Block 99	Plan 62M-475; and,

(b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council; and,

(c) That the General Manager of Transportation, Operations and Environment be authorized and directed to register the by-laws.

7. **Hamilton Hydro Electric System – Installation of Above Ground Pad Mounted Transformers (TOE99001)**

That the installation of above ground pad mounted transformers be permitted in all new subdivisions, and certain commercial/industrial and existing residential development, subject to approval by the General Manager of Transportation, Operations and Environment.

8. **Temporary Road Closure: King William Street (TOE99007)**

That the application of the Downtown Hamilton B.I.A. to temporarily close King William Street between James Street and Hughson Street on Thursday July 8, 1999 11:00 p.m. to Sunday July 11, 1999 at 11:00 a.m., to hold the first annual King William Street Festival, be approved, subject to the following conditions:

(a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,

(b) That the applicant provide proof of $5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the General Manager of Transportation, Operations and Environment and at the expense of the applicant; and,

(f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the General Manager of Transportation, Operations and Environment; and,

(i) That the applicant be granted an extension to the City of Hamilton Noise By-law 79-292 to continue the music until 12:00 midnight during the event, and that a City of Hamilton Noise By-law Officer be in attendance throughout the event, at the expense of the applicant.

9. **Temporary Road Closure for Special Events: Hess Street South, between King Street and Main Street (TOE99004)**

That the applications of the Hess Village Performing Arts Festival organization to close Hess Street South between King Street and Main Street on the following dates:

Tuesday July 13, 1999 at 10:00 a.m. to Monday July 19, 1999 at 12:00 noon, for the Hess Village Performing Arts Festival; and,

Friday July 23, 1999 at 10:00 a.m. to Monday July 26, 1999 12:00 noon, for Beach Volleyball; and,

Friday August 13, 1999 at 12:00 noon to Sunday August 15, 1999 at 12:00 midnight, for the Bud Rig Patio Olympics

be approved, subject to the following conditions:

(a) (i) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,

(ii) That the applicants provide proof of $5,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(iii) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,

(iv) That all barricading be supplied by and at the expense of the applicants; and,

(v) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the General Manager, Transportation, Operations and Environment, at the expense of the applicants; and,

(vi) That the applicants ensure that clean-up be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizers; and,

(vii) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(viii) That all property owners and tenants along the closed portion of the road be notified of the event by the applicants prior to the event in a form acceptable to the General Manager, Transportation, Operations and Environment; and,

(ix) That the applicants be granted an extension to the City of Hamilton Noise By-law 79-292 to continue the music until 12:00 midnight on Friday and Saturday nights only during the events, with the exception of the July 23 to July 26 1999 event, and that a City of Hamilton Noise By-law Officer be in attendance throughout all of the events, at the expense of the applicants; and,

(b) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the event being held July 13 to July 19, 1999 deems it to be an event of municipal significance and has no objection to the AGCO issuance of the appropriate special event liquor licence; and,

(c) That the AGCO be advised that the City of Hamilton is aware of the application of the Lazy Flamingo for a temporary extension of its liquor licence for the Bud Rig Olympics, being held August 13 to August 15, 1999 and the City has no objection to the AGCO issuance of the appropriate liquor licence for this event.

10. **Temporary Road Closure: Y95.3's A Taste of Hamilton Event Royal Bank Aquafest 1999 (TOE99010)**

That the applications of

(i) A. Shinehoft agent for the Y93.3 A Taste of Hamilton Event to temporarily close:

- Bay Street between Barton Street and Guise Street
- Wood Street between Bay Street and James Street
- Macauley Street between Bay Street and James Street
- Picton Street between west of Bay Street to James Street
- Nichol Street between Picton Street to Ferrie Street
- Ferrie Street between west of Bay Street to James Street
- Simcoe between Bay Street and James Street
- MacNab Street between Barton Street and Guise Street
- Strachan Street between Bay Street and James Street
- Tiffany Street between Barton Street and Stuart Street
- Stuart Street between Bay Street and James Street
- Murray Street between Bay Street and James Street

from Thursday June 24, 1999 at 11:00 a.m. to Sunday June 27, 1999 at 11:00 p.m., to hold the Y95.3 A Taste of Hamilton Event; and;

(ii) A. Bradford, agent for the Royal Bank Aquafest Event to temporarily close;

- Bay Street between Barton Street and Guise Street
- Wood Street between Bay Street and James Street
- Macauley Street between Bay Street and James Street
- Picton Street between west of Bay Street to James Street
- Nichol Street between Picton Street to Ferrie Street
- Ferrie Street between west of Bay Street to James Street
- Simcoe between Bay Street and James Street
- MacNab Street between Barton Street and Guise Street
- Strachan Street between Bay Street and James Street
- Stuart Street between Bay Street and James Street

- Murray Street between Bay Street and James Street

on Thursday July 22, 1999 at 11:00 a.m. to Sunday July 25, 1999 at 11:00 p.m., to hold the Royal Bank Aquafest 1999

both be approved, subject to the following conditions:

(aa) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,

(bb) That the applicants provide proof of $5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(cc) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,

(dd) That all barricading be supplied by and at the expense of the applicant; and,

(ee) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the General Manager of Transportation, Operations and Environment and at the expense of the applicant; and,

(ff) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and,

(gg) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(hh) That all property owners and tenants within the closure area of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the General Manager of Transportation, Operations and Environment; and,

(ii) That a City of Hamilton Noise By-law Officer be in attendance throughout the events, at the expense of the applicant; and,

(jj) That Regional Police Service and By-law Enforcement/Parking Control Staff enforce permit parking (under Section 33a subsection 12, of the City Traffic By-law 89-72) on the aforementioned streets; and,

(kk) That the City Traffic By-law 89-72 be amended accordingly.

11. **Declaration of Surplus Properties – Public Walkway between 37 and 41 Glenvale Drive, Parts 1 and 2, Plan 62R-14911 (CS99007)**

(a) That the public walkway lying between Lots 38 and 39 on Plan M-66 (37 and 41 Glenvale Drive respectively), designated as Parts 1 and 2, Plan 62R-14911 be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,

(b) That Real Estate, Legal Services Section be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law 95-049.

12. **Declaration of Surplus Property – 25 Hunt Street, Hamilton (CS99006)**

(a) That a vacant parcel of land known as 25 Hunt Street, Hamilton be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,

(b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law 95-049.

13. **Municipal Car Parks in the vicinity of Barton Street and Sherman Avenue (PWT99006)**

That, in accordance with the Real Property Sales Procedural By-law 95-049:

(a) the former Municipal Car Park 12B (90 Kinrade Avenue) be declared surplus to the requirements of the City of Hamilton; and,

(b) the Real Estate Division be authorized and directed to sell this property.

14. **Cannon Street East and Sanford Avenue North – School Crossing Guard Request (PWT99008)**

(a) That a School Crossing Guard be assigned to the intersection of Cannon Street East and Sanford Avenue North during the morning, lunch and evening school crossing periods; and,

(b) That consideration be given in the 2000 Current Budget process for an expansion package of $6,000 plus administrative costs for a School Crossing Guard at this location.

15. **Intersection of Mount Pleasant Drive and Templemead Drive – Intersection Control (PWT99013)**

(a) That a three-way stop control at the intersection of Mount Pleasant Drive and Templemead Drive, be implemented; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

16. **Recovery of Costs Associated with the Enforcement of the By-law 85-159 "Respecting Collectible Waste" (PWT99001)**

(a) That as per By-law 85-159 "Respecting Collectible Waste" the Commissioner of Public Works and Traffic be authorized to pick up bulk garbage that has been placed at curbside with no prior arrangements being made through the Department of Public Works and Traffic; and,

(b) That the Department of Public Works and Traffic recover any costs associated with this extra level of service from the abutting property owner through the municipal tax roll.

17. **Mountable Curb Replacement Program (PWT99002)**

(a) That the Commissioner of Public Works and Traffic be authorized and directed to reinstate the program of "phasing in" the repairs of approaches with concrete in areas where there are the old standard mountable curbs on a complaint received basis; and,

(b) That $1 million be provided from available surpluses in the 1999 Capital Budget Programs required for sidewalk repairs and that $200,000 be provided from the same source to eliminate the backlog of mountable curb replacements, or alternatively, from Capital Reserve Accounts.

18. **37 Kilbride Road – Mountain Transfer Station/470 Kenora Avenue – Kenora Transfer Station – Proposed Amendments to Certificate of Approval No. A130111 (Mountain) and No. A130110 (Kenora) for a Waste Disposal Site (Processing), Region of Hamilton-Wentworth (PDC99028)**

(a) That the West Central Branch of the Ontario Ministry of the Environment be advised that the City of Hamilton has no objection to the proposed Amendments to Certificate of Approval No. A130111 (Mountain Transfer Station) and No. A130110 (Kenora Transfer Station); and,

(b) That a copy of this report be forwarded to the West Central Branch of the Ontario Ministry of the Environment for their consideration; and,

(c) That a copy of this report be forwarded to the General Manager of Transportation, Operations and Environment for information.

19. **Capital Budget Allocation for Landing Pads and Shelters (TRA99027)**

That the Region's Transportation Services Committee be advised that transit shelters be installed at the following locations:

(a) McMaster Service Road at Main Street Exit
(b) Hunter Street West at Hess Street South
(c) King Street East at Victoria
(d) Woodward Avenue at Melvin Avenue
(e) Greenhill Avenue at Tommar Place
(f) Upper Ottawa Street at Mohawk Road East
(g) Upper Sherman at Berko Avenue
(h) Garth Street at Rymal Road West

20. **Bills**

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-23 Being a By-law to stop up, close and sell a portion of the alley on Registered Plan 272, lying between Glenfern Avenue and Amelia Street, designated as Parts 1 to 9, 14 and 15, on Plan 62R-14134.

(b) A-24 Being a By-law to stop up, close and sell a portion of the public walkway designated as Block B, on Plan M-127, lying between Forestgate Drive and Wendover Drive.

(c) A-25 Being a By-law to incorporate City land designated as Block 46, Plan 62M-848, into Distin Drive.

(d) A-26 Being a By-law to incorporate City land designated as Block 99, Plan 62M-475, into Sundown Drive.

(e) A-27 Being a By-law to amend By-law 89-72 to regulate traffic.

(f) A-28 Being a By-law to amend By-law 89-72 to regulate traffic.

(g) A-29 By-law to alter Limeridge Road East from Upper Ottawa Street to approximately 32m westerly and closing it to westbound traffic

Respectfully Submitted,

ALDERMAN C. COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Carolyn Biggs
Acting Secretary
June 21, 1999

Appendix "A" as referred to in Section 4 of the Sixth Report of The Transport and Environment Committee for 1999

1. **Intersection Control**

(a) Alderman Frank D'Amico has advised of a request from Mrs. Lorette Gianetti, 798 Brigadoon Drive, for westbound stop control at the "T" type intersection of Appleblossom and Brigadoon. (Ward 8)

(b) Alderman Terry Anderson has advised of a request from Greg Peitchinis, 487 Eaglewood Drive, for eastbound stop control at the "T" type intersection of Gagliano and Eaglewood. (Ward 7)

(c) Staff has received a request from Anne North, Principal of Richard Beasley School, 80 Currie Street, for all-way stop control at the "T" type intersection of Currie and Larch. (Ward 6)

(d) Staff has received a request from staff of the Regional Water Department for northbound stop control at the recently constructed "T" type intersection of Bow Valley and Highridge. (Ward 5)

2. **Parking Regulations**

(a) Staff has identified a visibility problem caused by parked vehicles at the public walkway joining St. Vincent de Paul School and Golfwood, requiring the implementation of a "No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation adjacent to Nos. 185, 189 and 193 Golfwood Drive. (Ward 8)

(b) Jacqueline Bajus, Principal of Mother Theresa School, 1 Rexford Drive, has requested the implementation of a "No Stopping, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation adjacent to the school on the east side of Rexford, north of Atherley. (Ward 7)

(c) Alderman Bernie Morelli has advised of a request from Dorothy Kolios, owner of Dunsmure Pain Clinic, 59 Dunsmure Road, that a "Two Hour Parking Time Limit, 24 Hours a Day, Monday to Saturday" regulation be implemented on the north side of Dunsmure, west of Sherman, adjacent to her business. (Ward 3)

(d) Alderman Terry Anderson forwarded a petition signed by all five of the residents abutting Crerar between Rockview and the northerly end requesting that the existing "Alternate Side Parking" regulation be

replaced with a "No Parking" regulation on the west side and unrestricted parking on the east side of the street in this block. (Ward 7)

(e) Len Varaso, on behalf of the Mountain Physiotherapy Clinic, 644 Concession Street, requested that the existing "No Stopping" regulation on the west side of East 25th, south of Concession, be reduced from 50 feet to 25 feet and that, to facilitate patient "drop-off", a "No Parking" regulation be implemented on the west side of the subject roadway, commencing 25 feet south of Concession and extending 25 feet southerly therefrom. (Ward 7)

(f) George Preiner, owner of Preiner Tile Contracting Ltd., 321 Robert Street, has requested the implementation of a "No Stopping" driveway clearance on the north side of Robert, directly in front of his business. (Ward 3)

(g) Staff has received a petition signed by all of the residents abutting Westbourne between Main and Sanders, requesting that the existing "Alternate Side Parking" regulation be removed to allow parking on both sides of the street in this block. Ten of the 11 residents supported repealing the subject regulation and one resident opposed the request. (Ward 1)

(h) Andreas Kallergis, owner of Ellas Café, 199 Wilson Street, has submitted a petition signed by five of the seven abutting residents requesting the implementation of a full-time "One Hour Parking Time Limit" regulation on the east side of Cathcart between Wilson and Kelly. Four of the residents supported the requested regulation and one had "no opinion". (Ward 2)

(i) Alderman Ron Corsini has advised of a request from Dennis Lupton, 465 Bay Street North, that the existing "No Parking" regulation on the west side of Bay, south of Burlington, be shortened to allow unrestricted parking in front of his home. (Ward 2)

(j) The Principal of Glen Echo School has requested that the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" on the west side of Glen Echo be replaced with a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation. (Ward 5)

(k) Alderman Frank D'Amico has advised of a request from Sandy Upper, 126 Gateview Drive, representing Queensdale School Parent Council, to implement a "No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the south side of Churchill, east of Prince George, adjacent to the school. (Ward 8)

(l) Alderman Frank D'Amico has advised of a request from Sandy Upper, 126 Gateview Drive, representing Queensdale School Parent Council, to

implement a "No Stopping, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Prince George, south of Churchill, adjacent to the school. (Ward 8)

(m) Staff has received a petition signed by 20 of the 28 abutting residents requesting that the winter parking prohibition of the "Alternate Side Parking" regulation on the south side of Brucedale between Sherwood Rise and High be switched to the north side. Eighteen of the residents support switching sides, one is opposed and one has no opinion. (Ward 6)

3. **Disabled Parking**

(a) Carlos Olivera, 44 William Street, has requested that the existing full-time "Wheelchair Loading Zone" directly in front of his home be removed since he has widened his driveway and the space is no longer required. (Ward 3)

(b) Ms. Anne Schirripa, 302 Catharine Street North, has requested the implementation of a full-time reserved "Permit Parking" regulation on the west side of Catharine, abutting the east side yard of 94 Murray Street East. Mr. S. Marrone, 94 Murray Street East, concurs with the request. (Ward 2)

(c) Mr. Mark Shaler, 446 Charlton Avenue West, has requested the implementation of a full-time reserved "Permit Parking" regulation on the north side of Charlton, directly in front of his home since he is disabled. (Ward 1)

(d) An area resident has requested the removal of the reserved "Permit Parking" regulation at 286 Paling Avenue as the resident has moved which staff has confirmed. (Ward 4)

(e) Mrs. Linda Lee, 247 Glennie Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the south side of Melvin, adjacent to her home since she is disabled. (Ward 4)

(f) An area resident has requested the removal of the reserved "Permit Parking" regulation at 56 Fullerton Avenue as the resident has moved which staff has confirmed. (Ward 3)

(g) Mr. Dion, 34 Strachan Street West, has advised that he is moving and does not require the reserved "Permit Parking" space approved by the City Council on April 27, 1999. The signs were never installed. (Ward 2)

(h) Mrs. Mary Policelli, 70 Donnici Drive, has requested the implementation of a full-time "Wheelchair Loading Zone" directly in front of her home as her two children require the use of DARTS vehicles. (Ward 8)

(i) Alderman Terry Anderson has advised that the reserved "Permit Parking" regulation on the north side of Inverness, adjacent to No. 115 East 19th Street, is no longer required as the resident has moved. (Ward 7)

(j) Mrs. Linda Crouse, 304 Cope Street North, has requested that the existing reserved "Permit Parking" regulation adjacent to No. 306 Cope Street North, be replaced with a full-time "Wheelchair Loading Zone" regulation, to reduce the incidence of sight-line obstruction created when the subject parking space is occupied. Ms. Beverly Lutz, 308 Cope Street North, for whom the regulation was originally implemented supports the request. (Ward 4)

(k) Linda Shepard, 62 Mars Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the south side of Mars, directly in front of her home, since she is disabled. (Ward 3)

4. **Loading Zones**

(a) Anne North, Principal of Richard Beasley School, 80 Currie Street, has requested that the existing School Bus Loading Zone on the west side of Currie, north of Beaconsfield, be changed to a combined School Bus Loading Zone and Taxi Stand. While this is a site specific request, it will be necessary to make a minor text amendment to accommodate this and future requests of this nature. (Ward 6)

(b) Lily Borges, Especially For You Upholstry, 280-282 Hughson Street North, has requested that the "No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" loading zone be reinstated in front of her business. (Ward 2)

(c) Alderman Marvin Caplan has advised of a request from Mr. Simmons, owner of Al Simmons Gun Shop, 122 Locke Street South, that the existing "No Parking" loading zone on the west side of Locke, south of Canada, be relocated northerly to directly in front of his business. (Ward 1)

(d) Alderman Terry Anderson has advised of a request from Mount Hamilton Day Care Centre, 440 Upper Wentworth Avenue, that the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Inverness, east of East 19th, be changed to a "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" loading zone. (Ward 7)

(e) Alderman Frank D'Amico has advised of a request from Sandy Upper, 126 Gateview Drive, representing Queensdale School Parent Council, that a "Wheelchair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be installed on the north side of Queensdale, east of Prince George, adjacent to the school. (Ward 8)

5. **Miscellaneous**

(a) Alderman Andrea Horwath has advised of a request from Mr. B. Potter, Secretary of Her Majesty's Army & Navy Veterans Society, 96-98 MacNab Street North, that the duration of the parking meters on Vine between James and Park be changed from one hour to two hours. (Ward 2)

PARKS AND RECREATION COMMITTEE

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **EIGHTH** Report for 1999 and respectfully recommends:

1. Charitable Opportunities – Hamilton District Extend-a-Family, Light Show

(a) That approval is granted to Hamilton District Extend-a-Family, to locate animated light displays in T.B. McQueston Park on the occasion of the Winter Animated Light Show from December 1, 1999 – January 14, 2000 from dusk to 11:00 p.m. daily; and,

(b) That this be approved for a three (3) year rental agreement, with a review after one year; and,

(c) That the General Manager of Community Services negotiate a rental permit fee for the park; and,

(d) That the above event be subject to the Terms and Conditions of the Special Events Guidelines.

2. Big "A" Amusements Ltd. – Fundraising Event, Queenston Parent/Child Drop-In Centre - Parkdale Park – July 29- August 2, 1999

That approval be granted to Big "A" Amusement Ltd. to hold a fundraising carnival event for the Queenston Parent/Child Drop-In Centre on July 29 – August 2, 1999 from 12:00 noon to 11:00 p.m. in Parkdale Park subject to the Standard Terms and Conditions of the Special Events Guidelines.

3. North End Children's Centre - Rainbow Festival July 9, 10, 11, 1999 - Woodlands Park

That approval be granted to the North End Children's Centre to locate carnival rides in Woodlands Park on the occasion of the annual Rainbow Festival to be held on July 9, 10 and 11, 1999 from 10:00 a.m. to 10:00 p.m., subject to the Standard Terms and Conditions of the Special Events Guidelines.

10. Gender Equity Policy for Sport and Recreation in the City of Hamilton

(a) That Gender Equity Policy for Sport and Recreation in the City of Hamilton, attached hereto and marked as Appendix "C" be approved; and,

(b) That the General Manager of Community Services be directed to meet annually with sport and recreation representatives to jointly strategize to reduce barriers to gender equity and to increase participation by girls and women in sport and recreation over the next 5 to 7 years; and,

(c) That the General Manager of Community Services be directed to report annually to the Parks and Recreation Committee on the progress towards gender equity in sport and recreation in the City of Hamilton.

11. Naming of Parks and Facilities - Procedures and Guidelines

(a) That the Procedure and Guidelines for Naming City of Hamilton Parks, Works Yards and Facilities attached hereto and marked as Appendix "D" be adopted; and,

(b) That City Council rescind previous guidelines approved for the Naming of Parks and Facilities; and,

(c) That the Parks Staff Advisory Committee be assigned the responsibility of receiving and reviewing all proposals for the naming of parks, works yards and facilities; and,

(d) That recommendations of the Parks Staff Advisory Committee be forwarded to the General Manager having jurisdiction over the subject of the day for confirmation and presentation to the Parks and Recreation Committee for consideration.

12. Authority to issue Requests for Proposals for Private Sector Partners Hamilton Civic Golf Courses and Chedoke Winter Sports Park

(a) That the General Manager of Community Services be authorized to proceed with a "Letter of Interest" for a private operator to assume full responsibility for the management and operation of Hamilton civic golf courses and the Chedoke Winter Sports Park based on the following general conditions:

- Private operator assumes full responsibility for costs and retains all revenues, but provides an annual licensing fee to the City and pays all appropriate taxes; and,

- The municipality is prepared to enter into a long term lease arrangement in return for capital investment from the private operator; and,

- Private operator undertakes to make capital improvements stipulated by the Municipality within the first five years of the agreement; and,

- The municipality will provide an annual subsidy to the private operator specific to the ski hill program in recognition of its primary mandate to provide a children's learn to ski program; the limited site and unfavourable weather conditions in an amount to be negotiated; and,

- This subsidy for the ski program is contingent upon the private operator making capital reinvestment in the Ski facility infrastructure as prescribed by municipality; and,

(b) That the private operator agrees to comply with performance standards stipulated by the City relative to management, maintenance, development and customer service and pricing; and,

(c) That the selection criteria attached hereto and marked as Appendix "E" be approved for usage in evaluating responses to the Expression of Interest; and,

(d) That the Director of Culture and Recreation be authorized and directed to prepare a "best effort" Five Year Business Plan, with input from required staff, to be completed prior to the issue of the Stage 2 Request For Proposals documents, said plan to be used as a benchmark to evaluate the merits of private sector proposals; and,

(e) That the General Manager of Community Services report back on the results of the "Letter of Interest" for the September Council meeting.

13. Trans Canada Cycling Tour

(a) That the Regional Municipality of Hamilton-Wentworth be requested to provide funding to an upset limit of $15,000 to the organizer of Trans Canada Cycling Tour to be held September 10 and 11, 1999 to assist with costs of ancillary support from the Region and the City of Hamilton, exclusive of policing costs; and,

(b) That the Joint Finance and Administration Committee recommend an appropriate source of Financing; and,

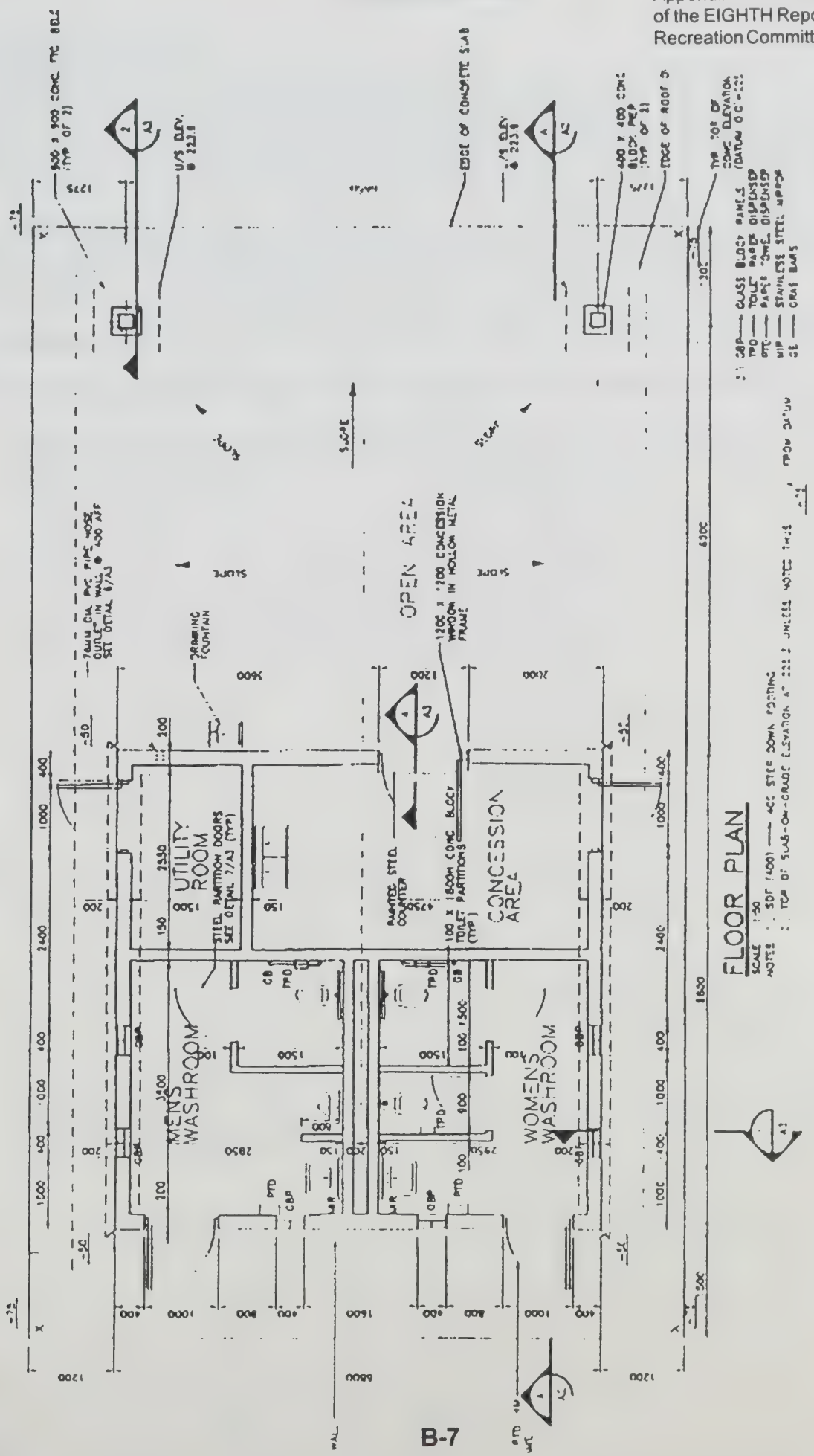
(c) That funding be conditional upon City of Hamilton approval of the race route and the signing of appropriate agreements.

Respectfully Submitted,

ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Tina Agnello
Secretary
June 21, 1999

Appendix "A" as referred to in Section 6 (a) of the EIGHTH Report of the Parks & Recreation Committee for 1999



Appendix "B" as referred to in Section 7 of the EIGHTH Report of the Parks & Recreation Committee for 1999

Corporation of the City of Hamilton

Municipal Alcohol Risk Management Policy

Preamble:

The Corporation of the City of Hamilton owns and manages facilities where alcohol consumption is not permitted, and other facilities where alcohol consumption is permitted under the authority of a Special Occasion Permit. The City of Hamilton has developed this Municipal Alcohol Risk Management Policy in order to:

1. prevent alcohol related problems that may arise from alcohol consumption within its' facilities, and

2. to promote a safe, responsible and enjoyable environment for those who use these facilities.

The consumption of alcohol creates the potential for problems to arise associated with drinking. These problems can affect not only the person or persons consuming alcohol, but other people who use the facilities and the general public. These problems may include:

- injuries to drinkers or other individuals
- liability action arising from alcohol related injuries or deaths.
- loss of insurability should the insurer's risk assessment escalate.
- possible increased insurance rates as a result of alcohol related incidents.
- suspension or loss of alcohol permit privileges by the Alcohol and Gaming Commission of Ontario (A.G.C.O)
- charges laid against the City under the Liquor Licence Act.
- Police attending at Municipal property.
- vandalism and destruction of City property.
- loss of enjoyment by non-drinkers and moderate drinkers.
- complaints lodged by offended parties.
- liability charges to employees

In most cases, these problems will not be attributable to moderate drinkers, or to those who respect the rules regarding alcohol consumption. It is believed that the majority of these problems arise from drinkers who engage in four specific drinking practices:

- underage drinking
- drinking in unlicensed areas
- drinking to intoxication
- drinking and driving

To the extent that these four drinking practices can be reduced, the likelihood of alcohol related problems may correspondingly diminish. For those individuals who do not engage in these targeted practices, the Policy will be minimally intrusive. It is not the intention of this Policy to stand in opposition to legal and moderate drinking.

1.0 Purpose of the Policy 2.

The Municipal Alcohol Risk Management Policy consists of measures designed to prevent alcohol related problems while allowing for the quiet enjoyment of those who use City facilities through clear, responsible guidelines. By reducing the potential for alcohol related problems, the City of Hamilton simultaneously seeks to reduce the users' loss of enjoyment of the facilities/events, reduce the risk of injury and death, and reduce the risk of liability actions.

2.0 Areas Designated for Conditional Use of Alcohol

The consumption of alcoholic beverages is prohibited in the majority of City facilities, City parks, City /Regional road allowances and operated sports facilities. The City of Hamilton Council may change the designation of any site at its discretion.

The following Municipal facilities are designated as suitable for Special Occasion Permit (S.O.P.) functions:

- Mountain Arena
- Inch Park Arena
- Chedoke Twin Pad Arena
- Eastwood Arena
- Coronation Arena
- Rosedale Arena
- Parkdale Arena
- Lawfield Arena
- Scott Park Arena
- Sackville Hill Seniors Centre
- Huntington Park Recreation Centre
- Barton Community Centre
- Dundurn Park Pavilion
- Main-Hess Seniors Centre
- Central Memorial Recreation Centre
- Normanhurst Community Centre
- Eastmount Community Centre
- Commonwealth Square
- Ivor Wynn Stadium
- Brian Timmis Stadium
- Dundurn Park
- Globe Park
- Victoria Park
- Turner Park Miscellaneous
- Road Allowances
- Coach House – Dundurn Castle
- Bayfront Park
- Pier 4 Park
- Gage Park
- Mohawk Sports Park

*This list does not represent an exhaustive list of all properties and is a guideline only.

MISCELLANEOUS:

- Road Allowances (City and Regional) within Municipality of Hamilton-Wentworth will be reviewed on a case by case and approval is required from City/Regional Councils.

Some facilities operate with alcohol as any integral aspect of their curriculum and are to be governed under liquor licence operating guidelines. While operating outside of their liquor licence, they must acquire a S.O.P.

- City of Hamilton Municipal Golf Courses
- Ivor Wynn Stadium
- Rosedale Tennis Club
- The Stables at Dundurn Castle
- HECFI

Each facility operating under the auspices of an A.G.C.O. permit will be required to designate areas governed by the S.O.P. (Special Occasion Permit) permit.

3.0 Certification/Training
Smart Serve Program (S.S.P.) 3.

In order to allow the usage a City of Hamilton facility for a Special Occasion Permit function, the event sponsor must use bartenders, ticket sellers, floor monitors, etc., with certification from a recognized Ontario based server program. Proof of certification or training must be provided two (2) weeks prior to the event.

The Smart Serve Program (formerly known as S.I.P.) prepared by the Hospitality Industry Training Organization of Ontario, is approved by the A.G.C.O., and is endorsed by the Ministry of Consumer and Commercial Relations. It introduces participants to the following topics:

- alcohol and the Law
- facts about alcohol
- standard drink concept
- managing the intoxicated person
- drinking rates and limits
- establishing house policies
- signs of intoxication

The Municipality, by requiring the presence of trained monitors, servers and ticket sellers at alcohol-related events, is better able to discharge its responsibilities as the owner of the facility.

Acknowledging that it may be difficult for organizations to immediately comply, it is recommended that the number of trained people at Special Events (as required in Article 4.3) be phased in as follows:

- 25% as of 1999 August 1
- 50% as of 2000 January 1

Caterers and licenced stadia are required by law to have all personnel trained by a recognized Ontario based server program.

4.0 Controls

In order to be eligible for a facility permit for a S.O.P. function, the sponsor must demonstrate to the satisfaction of the Director of Culture and Recreation or Commissioner of Public Works & Traffic or the Commissioner of Transportation (Regional) or their designate, that there are sufficient controls in place to prevent intoxicated or rowdy people from entering the event, and that the aforementioned participants will be refused service and safely escorted from the event. These controls will include:

4.1 that only an age of majority card, a photo driver's licence, military identification, or a passport as identification be accepted for being served or consuming alcohol.

4.2 that all entrances and exits to the event be adequately supervised.

4.3 that a ration of one (1) floor monitor for every fifty (50) participants be utilized.

4.4 that all event workers (monitors, bartenders, servers, ticket sellers etc.) must refrain from consuming alcohol prior to and during the event.

4.5 that at all times at least 50% of event workers (monitors, bartenders, servers, ticket sellers etc.) must be of the age of majority, and certified by a recognized Ontario based server program.

4.6 that the sponsor provide a list of monitors, bartenders, servers and ticket sellers with their proof of certification or training and that such list shall be posted with the groups S.O.P.

4.7 that with a minimum of one monitor, who must be trained, the area outside the licenced area at the event be patrolled, as per A.G.C.O. regulations.

4.8* that a limit of two (2) drink tickets be permitted to be purchased by one person at any one time.

4.9* that a limit of two (2) drinks be served to one person at any one time.

RATIONALE: ***By limiting the number of drinks participants may purchase at one time, the ticket sellers, monitors, bartenders and servers are provided with more opportunities to observe participants for signs of intoxication. Table consumption can be moderated by not selling rounds of large numbers of tickets - a strip of twenty, for example.***

4.10 that the person whose name is on the S.O.P. be certified from a recognized Ontario based server program.

4.11 that there be no "last call" announced and no happy hours.

4.12 that any incident or violation of the Municipal Alcohol Risk Management Policy which may endanger participants at the S.O.P. function, or off the premises of the S.O.P. function, shall be the responsibility of the S.O.P. permit holder.

4.13 that a copy of this Policy be provided to the S.O.P. function applicant at the time of application, and that the applicant sign that he has read, understands and agrees to comply with the rules stated herein.

4.14 that the person signing the S.O.P. or his/her designate (who shall be named) must be present at the event, being the person responsible for the event.

4.15 that the person signing the S.O.P. or his/her designate is responsible for decision making during the event, and therefore, must refrain from consuming alcohol prior to or during the event.

4.16 that non-alcoholic beverages and food be available at all times. It is recommended that non-alcoholic beverages be provided at no charge or at a cost significantly lower than alcoholic beverages.

4.17* at all times bottle and draft beer of a light variety of bottle and draft beer be offered, and be posted with the A.G.C.O. Permit.

RATIONALE: ***Low alcohol beverages help prevent intoxication by providing responsible consumers with an opportunity to consume less alcohol and avoid becoming intoxicated. A patron consuming a regular beer (at 5% alcohol) would have to drink two "extra light" beers (at 2.5% alcohol) to ingest the same amount of alcohol. Similarly, light beer (at 4% alcohol) represents a 20% reduction in alcohol intake.***

4.18 that the City prefer that alcoholic beer of the standard 5.0% or less be emphasized as opposed to premium beers or wine coolers of greater alcoholic content.

4.19 that alcohol not be offered or given as a prize in a contest.

4.20 that the S.O.P. Permit holder has the right to refuse admittance to persons who are underage, or to an individual who appears intoxicated.

4.21 that any beverage being served at a S.O.P. function will be served in plastic or paper containers.

4.22 that all monitors, bartenders, servers and ticket sellers, acting in official capacity at the event, must wear an I.D. name tag, identifying them as such and approval by the Municipality/Region.

4.23 that no marketing practices which encourage increased consumption i.e. oversized drinks, double shots, pitchers of beer, drinking contests, volume discounts, be permitted.

4.24 that the Director of Culture and Recreation/Commissioner of Public Works & Traffic or Commissioner of Transportation or their designate have the right to require the presence of Hamilton-Wentworth police officers to be present for the duration of the event which cost will be borne by the applicant; and, that for all events in excess of 75 people, that this condition be imposed as standard practice.

4.25 the City of Hamilton reserves the right to introduce other conditions from time to time at its discretion.

5.0 Accountability

Signs must be prominently posted at all Special Occasion Permit functions informing the public where they can forward their concerns.

The sign will name the sponsor of the event, the name of the Special Occasion Permit Holder, and the addresses and telephone numbers of the City of Hamilton, Culture and Recreation Department, the Commissioner of Public Works and Traffic, Commissioner of Transportation or other designate, the Hamilton-Wentworth Regional Police and the Alcohol and Gaming Commission of Ontario.

There shall be uniformity in the signs outlining: 6.

- Event Sponsor
  Name of Special Occasion Permit Holder
- City of Hamilton
  Department of Culture and Recreation
  71 Main Street West
  HAMILTON, Ontario L8P 4Y5 (905) 546-2750
- Hamilton-Wentworth Regional Police
  155 King William Street
  HAMILTON, Ontario L8R 1A6 (905) 546-4925
- Alcohol and Gaming Commission of Ontario (AGCO)
  20 Dundas Street West
  TORONTO, Ontario M5G 2N6 (416) 326-0450
- Emergency 9-911

An additional sign shall be prominently posted at the bar and at the ticket counter stating the law on intoxication. The sign shall read "It is against the Liquor Licence Act of Ontario for licenced establishments to serve customers to intoxication. For this reason, servers in our facilities are required to obey the law and not serve anyone to intoxication. We are also pleased to offer non-alcoholic beverages".

Rationale

It is not possible for the Police and Liquor Licence Inspectors to check on all Special Occasion Permit functions. The sign serves as notice to the permit holder that while enforcement personnel may not attend the event, concerned participants will know where to lodge a complaint which may affect future activities.

6.0 Enforcement Procedures for Policy Violations

Any individual or group bringing alcohol onto designated Municipal properties must have a Special Occasion Permit.

6.1 a violation of the Policy occurs when the Special Occasion Permit holder fails to comply with the conditions of the Liquor Licence Act of Ontario, or the Municipal Alcohol Risk Management Policy. Intervention can be initiated by a participant at the event, a City of Hamilton staff member, a member of the Hamilton-Wentworth Regional Police or an Inspector of the Alcohol and Gaming Commission of Ontario.

6.2 a member of the organizing group, the S.O.P. holder, or monitor may intervene by informing the offending individual(s) of the Policy violation, and asking that it be stopped, or corrected. Group members, the S.O.P. holder and monitors are encouraged to intervene in this way because intervention at other levels could ultimately result in a loss of privileges and possible criminal code charges.

6.3 a City of Hamilton staff member on duty will intervene whenever he/she encounters a violation of Policy. Depending upon the severity of the Policy infraction, City of Hamilton staff may request the organizers of the event to stop the violation, or they may close down the S.O.P. portion of the event. The organizers will not be reimbursed for any financial loss which may be incurred as a result of this action. Should the organizers refuse to comply, staff may call the Police for enforcement.

6.4 where the Special Occasion Permit holders have violated the Municipal Alcohol Risk Management Policy, and have been warned by a City of Hamilton/Regional staff member, the sponsoring organization will be sent a registered letter advising of the violation, and indicating that no further violations will be tolerated.

6.5 should the Special Occasion Permit holder violate the Policy within one year of receiving notice of their first violation, the organizers will be suspended from Special Occasion Permit privileges at all Municipal facilities for a period of not less than one year. A registered letter will be sent to the S.O.P. holder and sponsoring organization advising of the suspension.

6.6 a member of the Hamilton-Wentworth Regional Police or an Inspector from the Alcohol and Gaming Commission of Ontario may intervene in a violation of this Policy on his or her initiative, or in response to a request from either a City staff member or a member of the general public. Depending upon the severity of the infraction, charges may be laid under the Liquor Licence Act of Ontario, or any other relevant legislation.

6.7. all staff monitors which includes , serving staff, bartenders , door monitors and management staff should always be in a position to quickly detect intoxicated patrons.

6.8 in the case of patrons who are intoxicated to the point that they must be cut off, the permit holder or designated event staff must make every effort to ensure that the patron does not drive and that he/she will arrive home safely. In some instances, non-intoxicated friends might agree to drive the person home, or a cab may be called for the patron.

7.0 Policy Monitoring and Revisions

This Policy is to be reviewed each year by the City of Hamilton, Department of Culture and Recreation Management, and revisions, if any, reported to the City of Hamilton, City Council and in consultation with Events Organizers.

8.0 Applications

That the City of Hamilton Council, when approving a Liquor Licence event, submitted to the A.G.C.O., or the Director of Culture and Recreation acting in his/her capacity, recommend approval, that it be conditional upon the event sponsor agreeing, in writing, to follow the Municipal Alcohol Risk Management Policy (Appendix A).

9.0 Insurance

Individuals or groups sponsoring a Special Occasion Permit function at a listed Municipal facility in the Municipal Alcohol Risk Management Policy, must show proof to the Director of Culture and Recreation/Commissioner of Public Works and Traffic or their designate at least two (2) weeks prior to the event, that they have a minimum of five million dollars ($5,000,000) liability insurance coverage (which shall include a host liquor liability endorsement), and that the City of Hamilton/Region of Hamilton-Wentworth is named as an additional insured party to this Policy.

The permit holder will be required to enter into a Licence Agreement in a form specified by the City Solicitor agreeing to indemnify and save the Corporation of the City of Hamilton/Region of Hamilton-Wentworth harmless from all claims arising from the permit or event. The actual insurance limits required may be increased at the discretion of the City of Hamilton should it be determined that the risk involved with the event dictates a higher limit of insurance.

APPENDIX "A" 9.

SPECIAL OCCASION PERMIT (S.O.P.) HOLDER AGREEMENT

(Please Print)

NAME OF ORGANIZATION _____

NAME OF PERMIT HOLDER _____

CERTIFICATION

1. The Permit Holder has received and reviewed a copy of the Municipal Alcohol Management Policy.

2. The Permit Holder agrees to adhere to the conditions of this Policy and the Liquor Licence Act of Ontario.

3. The Permit Holder understands that if an infraction of the Policy occurs, the City of Hamilton may warn or suspend the organization from A.G.C.O. permit privileges to use City facilities for one year.

4. The Permit Holder understands that they can be held liable for injuries and damage arising from failure to adhere to the Liquor Licence Act of Ontario, or from otherwise failing to take action that will prevent foreseeable harm from occurring.

5. The Permit Holder understands that the Police and/or a Liquor Licence Inspector can lay charges for infractions of the Liquor Licence Act of Ontario or other relevant legislation.

SIGNATURE:_____
Permit Holder

Address: _____

_____

Phone No:

_____

****

OFFICE USE

Agreement received by:_____

Date:_____
Day/Month/Year

S.O.P. ACCOUNTABILITY

Name of Group Sponsoring Event

Name of Special Occasion Permit Holder

Address and Phone Number of Permit Holder

Facility Owner:

City of Hamilton
71 Main Street West
HAMILTON, Ontario L8P 4Y5
Telephone: (905) 546-2750 (905) 546-2710 evenings and weekends

Regional Police:

Hamilton-Wentworth Regional Police
155 King William Street
HAMILTON, Ontario L8R 1A6
Telephone: (905) 546-4925

AGCO:

Alcohol and Gaming Commission of Ontario
20 Dundas Street West
TORONTO, Ontario M5G 2N6
Telephone: (416) 326-0450

TO BE PROMINENTLY POSTED IN TWO LOCATIONS AT THE EVENT

APPENDIX "C"

11.

S.O.P. HOLDER & CERTIFIED OR TRAINED EVENT WORKERS

S.O.P. HOLDER AND DESIGNATE(S): (Please Print)

_____

_____

_____

_____

CERTIFIED OR TRAINED EVENT WORKERS:
(MONITORS/BARTENDERS/SERVERS/TICKET SELLERS)
(Please Print)

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

Use additional forms, if necessary. Proof of certification or training to be posted at the event with the S.O.P..

APPENDIX "D" 12.

AREAS DESIGNATED FOR CONDITIONAL USE OF ALCOHOL

ARENAS

Chedoke Twin Pad
Eastwood
Coronation
Inch Park
Lawfield
Mountain
Parkdale
Rosedale
Scott Park

RECREATION CENTRES

Huntington

SENIORS CENTRES

Sackville Hill
Main-Hess

COMMUNITY CENTRES

Barton Community Centre

CULTURAL/MUSEUMS

Dundurn Pavilion

Appendix "C" as referred to in
Section 10 (a) of the EIGHTH Report of
the Parks & Recreation Committee for 1999

GENDER EQUITY POLICY FOR SPORT AND RECREATION

IN THE CITY OF HAMILTON

PURPOSE OF THE POLICY:

The purpose of the Policy is to set in place principles and practices that will ensure full and fair access for girls and women in sport and recreation in the City of Hamilton.

POLICY STATEMENT:

The City of Hamilton is committed to ensuring that girls and women have a full and equal range of opportunities to participate, compete and lead in sport and recreation activities in our community in an environment that is supportive, welcoming and harassment-free.

POLICY PRINCIPLES:

The City of Hamilton endorses the policy principles articulated in the Provincial Gender Equity Policy Statement as follows:

1. Participation in physical activity and sport enhances physical, social and emotional well being. It can lead to a personal sense of accomplishment and belonging, a healthier and more productive life and community pride. It can lead to increases in feelings of self-esteem and perceived competence.

2. Participation is enhanced by giving women and girls a full choice, including participation in teams of their preference.

GENDER EQUITY DEFINED:

For the purposes of the policy the definition articulated by the Nova Scotia Sport and Recreation Commission Gender Equity Policy – 1996 will be used:

Gender Equity is the principle and practice of fair allocation of resources, programs and decision-making to both men and women, and includes the redressing of identified imbalances in the benefits available.

STRATEGIC DIRECTIONS:

"In order to achieve the goal of gender equity in the City of Hamilton over the next 5 to 7 years, we are committed to the following actions:

1. Track gender equity performance indicators through community group affiliation policy guidelines:
   a) Participation rates by gender in traditionally male-dominated sports;
   b) Involvement by gender of leaders, coaches, referees, board members;
   c) Number of teams by gender;
   d) Facility allocation by gender.

2. Because of the serious effects of harassment and abuse, adopt a policy and procedure for prevention of harassment and abuse in sport and recreation. Encourage harassment officer appointments in sport and recreation groups.

3. Review existing use of facilities and develop creative strategies to achieve gender equity.

4. Review internal resource allocation (e.g. operating budgets) and, where there is a need, reallocate resources to achieve gender equity.

5. Develop a gender equity training plan for participants, elected officials, sport and recreation leaders, and media.

6. Develop a plan to reduce barriers to gender equity in sport and recreation. The plan should address:

   a) Safety and security
   b) Access, e.g. fees/costs to participate
   c) Other issues as they arise

7. Lead in the use of inclusive language and images in all department programs and media. Be a role model in inclusive language in sport and recreation.

8. Communicate gender equity policy to all sport and recreation partners, participants and the public.

9. Report yearly to council on progress toward gender equity in sport and recreation."

Appendix "D" as referred to in
Section 11 (a) of the EIGHTH
Report of the Parks &
Recreation Committee for 1999

PROCEDURE AND GUIDELINES

FOR THE NAMING OF

PARKS, WORKS YARDS AND RECREATION FACILITIES

PROCEDURE:

- Proposed names for Parks, Works Yards and Depots, Recreation Facilities and Museums will be submitted, in writing, to the Parks Staff Advisory Committee for review and recommendation to the General Manager having jurisdiction. Names may be submitted by elected officials, staff or members of the public.

- The nominating party will be required to supply background material in support of the proposed name, in sufficient detail to allow the review committee a clear understanding and appreciation for the request (a nomination application forms part of these guidelines and represents the minimum amount of information required).

- Written submissions will be acknowledged by the secretary of the Parks Advisory Committee, immediately upon receipt.

- In the event of there being more than one properly submitted nomination, the staff committee will consider the relative merits of each and forward one recommended name along with information on other proposals.

- The staff committee will consider the merits of the proposal(s) in the context of approval guidelines and recommend accordingly.

- In the absence of any formal proposal via nomination, the Parks Staff Advisory Committee will recommend a name for the park or major facility or, alternatively, a procedure for soliciting public and stakeholder input.

- Having received a recommendation from the staff committee, the General Manager having jurisdiction will confirm the appropriateness of the selected name and forward a report to the Parks and Recreation Committee of Council, for consideration.

GUIDELINES:

Preface: These guidelines apply to all classifications of Parks ie. parkettes, neighbourhood, community and city wide parks and linear parks and Facilities ie. built amenities/structures ranging from play equipment, sport fields and buildings such as arenas, recreation centres/complexes, museums and work yards/depots.

1. That in the case of Parks and major facilities, *first consideration* be given to a name which:

   a) Identifies or describes the location / characteristics within the community – Preferred options include:

      i) Neighbourhood Reference ie.- Durand Park
      - Huntington Recreation Centre

      ii) Street Reference ie.- Tom Street Park
      - Carson Drive Park

      iii) Noteworthy physical, environmental or scenic quality
      ie.- Bayview Park
      - Cliffview Park

      iv) Proximity to recognizable facility or area –
      ie.- Hill Park Recreation Centre
      (adjacent to Hill Park
      Secondary School)

   b) Recognizes an approved Twinning or significant event/program involving another Municipality,
      ie.- Shawinigan Park

   c) Recognizes an historical event having, as a minimum, city wide impact/significance. Relevant heritage committees, persons or agencies to be consulted;
      ie.- Commonwealth Square
      - Coronation Park

2. Exceptions to the abovenoted 'first consideration' guideline, under certain circumstances of an exemplary nature, may be warranted.
   The naming of a public place or facility after an individual or recognized organization is a highly effective way to show recognition and appreciation

for extraordinary and exemplary service to community well being or special achievement reaching beyond local significance.

Where an exception is being considered and the naming of a park or facility after an individual or group is being recommended, the following guidelines apply:

a) In the case of a Deceased Person:

i) Recognition shall not be considered until 2 years after the death of such person.

ii) The agreement of next of kin shall be obtained prior to implementation.

* iii) The basis for recognition must be well documented and broadly acknowledged as benefiting the City, the Province, the Country
i.e. Sam Lawrence Park
T. B. McQuesten Park
Churchill Park

* iv) To the extent possible, a direct relationship should exist between the individual and the feature being considered for name recognition.
i.e. Sports personality matched with area of athletic endeavour - Jimmy Thompson Pool

* v) Once named after an individual, park and major facility names should not be changed.

b) In the case of a Living Person or Organization, recognition may be considered by the Parks Staff Advisory Committee as per the procedure and policies contained in this document, or by City Council.

For the purpose of aiding the decision making process, the following guideline applies:

i) Eligibility in this category is reserved for person(s) or organizations having achieved a standard of community service or form of achievement notably and agreeably 'above and beyond' the requirement of extraordinary and exemplary.

June 29, 1999

Appendix "E" as referred to in
Section 12 (e) of the EIGHTH Report
of the Parks & Recreation
Committee for 1999

CORPORATE INFORMATION

Proponent Corporate Structure and Stability

The ability of the proponent to demonstrate corporate stability and a historically solid financial position will be an important factor in determining the company's (or consortium's) worthiness to proceed to the next stage of the evaluation process. Submissions should include an indication of the proponent's corporate staff and management structure, years in business, relationships and alliances with other firms, funding sources (such as investors), and details that instill a level of confidence that the proponent is committed and able to enter into a long term relationship with the City. In the case of a consortium, the submission should clearly indicate the lead firm, providing a confirmation that the financial obligations that are implied by the concept are protected by the lead firm's covenant.

Proponent Capacity To Undertake The Project

The submission should include an indication of the proponent's capacity to partner with the City on the golf course project of the size and scope of the proposed concept. The proponent team should include individuals or associate firms with the necessary talents, experience, and financial base to undertake all financial and operating elements included in the package. Moreover, the degree to which the lead firm is involved beyond the initial stage of the project may be important, depending upon the nature of the proposed relationship. For example, a redevelopment of a clubhouse proposal may be fronted by a large construction firm. The score for this criteria should reflect both the capacity of the contractor and the proposed operator.

Previous Experience

Past experience of the team or key firms within the team, in operations of facilities of similar nature and scale will be an important evaluation factor. Previous experience involving golf course management and food and beverage operations or other businesses included in the proponent's concept should be considered. An assessment of the skills of individual members of the consortium, separate from the assessment of the demonstrated ability of the firms within the consortium should also help guide the evaluation decision. Consideration of *who are the key players on each team* and their past experience and the proposed types of facilities should be answered. Depth of the team is also an issue. A consortium with good skills represented by only one individual may not be scored as highly as a consortium that includes more than one individual with the appropriate talents.

Basic Concept Elements

Compliance With Project Objectives

The Letter Of Interest documentation will outline the City's objectives for the project. Issues such as enhanced leisure opportunities available to Hamilton's residents and financial benefits to the City will be addressed. The submission should clearly outline the manner in which the concept and the proponent's plans are capable of fulfilling the objectives.

Quality Of The Concept and Facilities

The submission should describe a basic concept that is sound and provides Hamilton's residents with access to golf facilities and other support services consistent with the City's traditional recreation standards. Basic operating elements, effective use of the site, and other fundamentals of the concept should be evaluated under this criteria.

Cost Efficiencies, Net Revenue and Operational Effectiveness

Although the expression of interest will provide only the basic elements of the financial proposition, the proponent should identify (even if only in general terms) cost savings, a proportion of net revenues, or operating efficiencies that would accrue to the municipality as a result of the project. For example, a concept that would help the City avoid capital or operating (net) costs normally associated with a municipally developed golf facility, without compromising facility or service quality, would be viewed favorably. Opportunities to re-allocate existing resources to other service areas (such as staff redeployment) are benefits that could be included in creative partnership propositions. It will be important to focus on the concepts and possibilities rather than searching for specific financial details during Stage One.

Enhanced Concept Elements

Plans For Additional Facilities

The proponent's submission may include facilities and support amenities beyond basic golf operations. Ancillary facilities that enhance the course's character and are in keeping with the objectives of the project while remaining sensitive to the needs of golfers and other facility users should receive favorable consideration. A proposition that demonstrates an understanding of the market conditions and (likely) viability of the supplementary components should received high marks.

Creative Leisure Service Enhancements

A concept that creates a desirable golf destination should be viewed favorably. Innovative, creative ideas for attracting new and return golfers should be given merit. Further, plans to integrate different types of facility uses within one complex to the extent that the leisure experience is enhanced beyond what would normally occur at a municipal facility should fair well under this criteria.

General

Completeness And Clarity Of Submission

The provision of a well-organized, thoughtful submission that clearly describes the proponent's concept and capabilities to perform the associated responsibilities are important. Submissions should be evaluated based upon their comprehensiveness, thoroughness and clarity.

THE CITY OF HAMILTON - CHEDOKE AND KING'S FOREST GOLF COURSES
Letters of Interest Evaluation Form

CRITERIA	*WEIGHT*	*Proponent:* _____		
		Score	*Score x Weight*	*Notes*
Corporate Information				
Proponent corporate structure/stability				
Proponent's capacity to undertake the project				
Previous experience				
Basic Concept Elements				
Compliance with project objectives				
Quality of the concept/facilities				
Cost efficiencies/operational effectiveness				
Enhanced Concept Elements				
Plans for additional facilities				
Creative leisure service enhancements				
General				
Completeness and clarity of submission				
TOTAL SCORE				

PLANNING & DEVELOPMENT

COMMITTEE

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1999 and respectfully recommends:

1. ZAC-99-09, 360 James Street North

That approval be given to Zoning Application ZAC-99-09, Canadian National Railway, owner, for changes in zoning from "J" (Light and Limited Heavy Industry, etc.) District to "H"-'H' (Community Shopping and Commercial, etc. – Holding) District (Block "1") and "A" (Conservation, Open Space and Parkland) District (Block "2") for lands known as 360 James Street North, as shown on the attached map marked as APPENDIX "A", on the following basis:

(a) That Block "1" be rezoned from "J" (Light and Limited Heavy Industry, etc.) District to "H"-'H' (Community Shopping and Commercial, etc. – Holding) District;

(b) That Block "2" be rezoned from "J" (Light and Limited Heavy Industry, etc.) District to "A" (Conservation, Open Space and Parkland) District;

(c) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14. of Zoning By-law No. 6593, applicable to Block "1", as referred to in Section (i) be modified to include the following variances as special requirements:

(i) That notwithstanding Section 14.(1), only the following uses shall be permitted:

(1) a restaurant, but not a drive-thru or take-out restaurant, banquet hall, training school and business or professional person's offices shall be permitted only within the building existing on the day of the passing of the by-law provided that:

(aa) the external appearance and character of the existing building shall be preserved and maintained;

(bb) the banquet hall, including any areas for the preparation and cooking of food, shall have a maximum gross floor area of 840 square metres;

(cc) the restaurant shall have a maximum gross floor area of 185 square meters;

(dd) the business or professional person's offices shall have a maximum gross floor area of 750 square meters;

(ee) the training school, including accessory offices and classrooms, shall have a maximum gross floor area of 1,200 square meters;

(2) a maximum 3 storey building for use as a residential care facility for the accommodation of not more than 120 residents of at least 65 years of age and a day nursery for the accommodation of not more than 30 children; and,

(3) Notwithstanding Section 2.(2)A.(xiiaaa) of Zoning By-law No. 6593, a Residential Care Facility shall be permitted within a building containing a day nursery.

(ii) Section 18A.(12)(c) shall not apply where Block "1" abuts Block "2";

(iii) Notwithstanding Section 4.(3)(a) of Zoning By-law No. 6593, two buildings shall be permitted in accordance with Section (iii)(a) of this by-law;

(iv) the following separation distance shall be provided and maintained between each of the two permitted buildings:

a distance of not less than 10.0 metres;

(v) Section 18A.(36) shall not apply;

(vi) Notwithstanding Section 14(3) of Zoning By-law No. 6593, for any new building or structure, a minimum setback of 30.0 metres from a railway-right-of-way shall be provided and maintained;

(vii) A 1.83 metre high chain link fence shall be provided and maintained along any lot line abutting a railway right-of-way;

(viii) An earthen berm being a minimum of 2.5 metres above grade, having side slopes not steeper than 2.5 to 1, shall be provided and maintained along any lot line abutting a railway right-of-way.

(d) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to Block "1" by introducing the holding symbol 'H' as a suffix to the proposed zoning district. The holding provision will prohibit the development of the subject lands until:

(i) the owner receives approval from the Ontario Heritage Foundation for any site alterations, demolition or construction in accordance with the Conservation Easement to be registered on title of the subject lands;

(ii) the owner applies for and receives approval from City Council for a Heritage Permit, in accordance with the applicable provisions of the Ontario Heritage Act, for any site alterations, demolition or construction in accordance with the provisions of By-law No. 95-115 (A By-law to Designate Land Located at Municipal No. 360 James Street North (241 Stuart Street) as Property of Historic and Architectural Value and Interest) and completes a Heritage Impact Assessment to the satisfaction of the General Manager, Community Planning and Development Division;

(iii) the owner applies for and receives final approval for a Site Plan Control Application;

(iv) completion by a qualified consultant of a noise/vibration assessment study investigating noise/vibration levels impacting the proposed development and recommending noise/vibration control measures (if applicable), with said study and noise/vibration control measures being to the satisfaction of the Director, Land Development, Community Planning and Development Division;

(v) completion of a servicing study to show how the proposed 78 Bed Residential Care facility will be serviced for storm and sanitary sewers to the satisfaction of the Director, Land Development, Community Planning and Development Division; and,

(vi) the owner submit a signed Record of Site Condition (RCS) to residential standards for the proposed residential care facility/day nursery to the Region of Hamilton-Wentworth and the Ministry of Environment, to the satisfaction of the General Manager, Community Planning and Development Division, including an acknowledgement of receipt of the RSC by the MOE;

The 'H' symbol shall be removed by amendment to this by-law and the development of the subject lands may proceed in accordance with the "H" (Community Shopping and Commercial, etc. – Holding) District provisions, as modified.

(e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S -1425, and that the subject lands on Zoning District Map W-3 be notated as S -1425;

(f) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council; and,

(g) That upon finalizaiton of the implementing zoning by-law, the approved Beasley Neighbourhood Plan be amended to redesignate the northern portion of the subject lands from "Utilities" to "Commercial & Residential"; and,

(h) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

2. ZAC-99-10, West of James Street and South of the C.N. Railway

That approval be given to Zoning Application ZAC-99-10, Canadian National Railway, owner, for changes in zoning from "H" (Community Shopping and Commercial, etc.) District (Block "1") and "J" (Light and Limited Heavy Industry, etc.) District (Block "2") to "G-3" – 'H' (Public Parking Lots – Holding) District to permit the use of the subject lands for a public parking lot, for lands located west of James Street, east of Bay Street North and south of the C.N. Railway line, as shown on the attached map marked as APPENDIX "B", on the following basis:

(a) That Block "1" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "G-3" – 'H' (Public Parking Lots - Holding) District; and,

(b) That Block "2" be from "J" (Light and Limited Heavy Industry, etc.) District to "G-3" – 'H' (Public Parking Lots - Holding) District; and,

(c) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to Blocks "1" and "2" by introducing the holding symbol 'H' as a suffix to the proposed zoning district. The holding provision will prohibit the development of the subject lands until:

(1) the applicant/owner has applied for and received approval of a Site Plan Control application from the City of Hamilton.

City Council may remove the 'H' symbol, and thereby give effect to the "G-3" District provisions as stipulated in this By-law, by enactment of an amending By-law once the above condition has been fulfilled; and,

(d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S -1426, and that the subject lands on Zoning District Map W-3 be notated as S -1426; and,

(e) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council; and,

(f) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning.

3. ZAR-99-13, Rear of 1487 Upper Sherman Avenue

That approval be given to Zoning Application ZAR-99-13, Samuel Guerriero, owner, for a modification in zoning to the established "C" (Urban Protected Residential, etc.) District (Block "1") and for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified, (Block "2") to permit the use of the subject lands for four (4) single detached dwellings, for lands located east of Upper Sherman Avenue, west of Eaglewood Drive, south of Dalia Avenue and located at the rear of 1487 Upper Sherman Avenue, as shown on the attached map marked as APPENDIX "C", on the following basis:

(a) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,

(b) That the "C" (Urban Protected Residential, etc.) District regulations,contained in Section 9. of Zoning By-law No. 6593, applicable to Blocks "1" and "2" be modified to include the following variances as special requirements:

(i) That notwithstanding Section 9.(4) of Zoning By-law No. 6593, for an interior lot, every lot shall have a width of at least 11.6 metres and an area of at least 350.0 square metres within the district; and,

(ii) That notwithstanding Section 9.(4) of Zoning By-law No. 6593, for a corner lot, every lot shall have a width of at least 11.6 metres and an area of at least 335.0 square metres within the district;

(c) That the Director of Legal Services be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council; and,

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

4. ZAC-99-12, Rear of 1509 Upper Sherman Avenue

That approval be given to Zoning Application ZAC-99-12, Harp Homes Building Corporation (M. Mazza), prospective owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the use of the subject lands for single family residential uses, for lands located east

of Upper Sherman Avenue, west of Eaglewood Drive, south of Dalia Avenue and located at the rear of 1509 Upper Sherman Avenue, as shown on the attached map marked as APPENDIX "D", on the following basis:

(a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,

(b) That the General Manager, Community Planning and Development Division be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council; and,

(c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

5. ZAR-99-15, Rear of 102 Eleanor Avenue

That approval be given to Zoning Application ZAR-99-15, F. Mastrioanni and A. Mastrioanni, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the use of the subject lands for single family residential uses, for lands located west of Eleanor Avenue and south of Dulgaren Street and located at the rear of 102 Eleanor Avenue, as shown on the attached map marked as APPENDIX "E", on the following basis:

(a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,

(b) That the General Manager, Community Planning and Development Division be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council; and,

(c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

6. ZAR-99-11, 199 Stone Church Road West

That approval be given to Zoning Application ZAR-99-11, by Alexander Furmanov owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to permit the development of a single family dwelling, for lands located at 199 Stone Church Road West, as shown on the attached map marked as APPENDIX "F", on the following basis:

(a) That the lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,

(b) That the General Manager, Community Planning and Development Division be authorized and directed to prepare a By-law, in a form satisfactory to the Corporate Counsel, to amend Zoning By-law No. 6593, and Zoning District Map W-9C for presentation to City Council; and,

(c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

7. ZA-99-22, South side of Loconder Drive between Upper Gage and Queen Victoria Drive

(a) That approval be given to Zoning Application ZAC-99-22, Hamilton Habitat for Humanity, owner, to remove the 'H' Holding provision and for a modification to the "R-4" (Small Lot Single Family Dwelling) District regulations for lands located on the south side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive, as shown on the attached map marked as APPENDIX "G", on the following basis:

(i) That the subject lands be rezoned from "R-4" – 'H' (Small Lot Single Family Dwelling – Holding) District to "R-4" (Small Lot Single Family Dwelling) District;

(ii) That the "R-4" (Small Lot Single Family Dwelling) District regulations, as contained in Section 9A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

That notwithstanding Section 9A.(2)(b), a single family dwelling shall provide and maintain the following setbacks:

(1) 4.4 metres from the northerly lot line;
(2) 1.2 metres from the southerly lot line;
(3) 6.0 metres from the westerly lot line;
(4) 15.7 metres from the easterly lot line;

(iii) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49B for presentation to City Council; and,

(iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

(b) That the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee be requested to waive the following fees:

(i) For the City of Hamilton: the existing above ground costs (including land costs for the road allowance) in the amount totalling $21,409.63; and,

(ii) For the Regional Municiplaity of Hamilton Wentworth: the amount of $14,331 for the installation of the existing underground services, prior to the lifting of the 0.30 metre reserve, designated as Part 4, Plan 62R-13918.

8. **Intent to designate Auchmar, 88 Fennell Avenue West under the Ontario Heritage Act**

(a) That approval be given to the Intent to Designate the former estate of the Hon. Isaac Buchanan, known as Auchmar, at 88 Fennell Avenue West, as a property of historical and architectural value, pursuant to the provisions of Part IV of the Ontario Heritage Act, 1997, as outlined in the Reasons for Designation attached hereto and marked as Appendix "H"; and,

(b) That the Director of Legal Services and Corporate Counsel be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1997.

***This item was defeated at the Planning and Development Committee meeting of June 23, 1999.**

9. **Intent to designate a portion of Auchmar, 88 Fennell Avenue West under the Ontario Heritage Act**

(a) That approval be given to the Intent to Designate a 3.55 acre portion of the former estate of the Hon. Isaac Buchanan, (as shown on the map attached hereto and marked as Appendix "I"), known as Auchmar, at 88 Fennell Avenue West, as a property of historical and architectural value, pursuant to the provisions of Part IV of the Ontario Heritage Act, 1997, as outlined in the Reasons for Designation attached hereto and marked as Appendix "J"; and,

(b) That the Director of Legal Services and Corporate Counsel be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1997; and,

(c) That a Sub-Committee of Council be established consisting of Mayor Morrow, Alderman Caplan any other interested members of the Planning and Development Committee, to investigate all potential sources of financing (private and public) in order to preserve the balance of the property by July 15, 1999.

10. Central Area Plan Implementation Committee - Links Between Downtown and the Harbour

That the Central Area Plan Implementation Committee (CAPIC) request the Planning and Development Committee to request appropriate standing committees of Council and staff to undertake a study of linkages between the Downtown and the Harbour, and report back on related improvements. The intent is to improve pedestrian and cyclist connections, especially along James and Bay Streets, and the east-west cross streets between them. This study would consist of:

(a) James Street North – landscaping and signage improvements, and gateway treatments in the short term, without a detailed study; and,

(b) Bay Street North – preparation of a plan for pedestrian, cycling and vehicular access, between Main Street and Bayfront Park; and,

(c) East-West Streets Between James and Bay Streets– provide better linkages to Bayfront Park, on both sides of CN Railway tracks, on east-west streets such as Strachan and Stuart Streets.

11. Community Improvement Plan to Promote Industrial and Commercial Redevelopment

That the General Manager of the Community Planning and Development Division be authorized and directed to prepare a Community Improvement Plan to promote the redevelopment of industrial and commercial properties in the City of Hamilton.

12. Funding for Tax Incentive Program for Downtown Commercial/Industrial Buildings Designated under the Ontario Heritage Act

That approval be given to funding the Tax Incentive Program for Designated Heritage Buildings in the Downtown with an upset budget limit of $250,000 per year for ten years, subject to approval of the method of financing.

13. Demolition – 370 Upper Horning Road

That the Building Commissioner be authorized to issue a demolition permit for 370 Upper Horning Road in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

14. Demolition – 12 Nelson Street

That the Building Commissioner be authorized to issue a demolition permit for 12 Nelson Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

15. Revised Conditions of Draft Plan of Condominium Approval – CDM-CONV 98-003 - 75 Glenburn Court

That the City's conditions of Draft Plan Approval in respect of the condominium proposed for the existing apartment building at 75 Glenburn Court adopted on 1998 June 30, (Item 23, 13th Report, Planning and Development Committee), attached hereto and marked Appendix "K", be amended as follows:

(a) That clause 23(a)(i) be replaced with the following:

"That this approval apply to the attached draft condominium plan, as revised in red, which shows in addition to the existing building, a land dedication to the City for a future cul-de-sac at the easterly end of Glenburn Court. The cul-de-sac is laid out in accordance with City roadway standards. The revised draft plan dated 1998 March 16, prepared by Consoli & Jacobs Surveying Ltd., is attached as Appendix "L"; and,

(b) That "clause 23(a)(viii)" be re-numbered as "clause 23(a)(xi)" in order that the four additional conditions of approval, listed below, may also be included in the approval resolution:

clause 23 (a) (viii)

"That to provide road access to the proposed condominium, the owner be required to dedicate to the City of Hamilton that portion of its land needed for a cul-de-sac at the end of Glenburn Court, subject to the owner retaining a right-of- way (in the dedicated land), as shown as Part 1 on the attached draft Reference Plan (Job No. 97-143R1) marked as Appendix "M", for vehicular and pedestrian access. The right-of-way retained by the owner shall continue until such time as additional land, also required for the cul-de-sac, is acquired, constructed and established as a highway.";

clause 23(a)(ix):

"That the owner of 75 Glenburn Court, (the applicant or the proposed Condominium Corporation, as the case may be), be required to assume the share of construction costs for the proposed Glenburn Court cul-de-sac attributable to its property, such costs to be paid to the City when all of the required land has been acquired and construction of the cul-de-sac is authorized by Council."; and,

clause 23(a)(x):

"That the owner of 75 Glenburn Court, (the applicant or the proposed Condominium Corporation, as the case may be), be required to obtain a permanent easement for vehicular access between 75 Glenburn Court and the City highway known as Glenburn Court. The applicant shall agree that such easement shall cease without compensation to the applicant when all of the land for the cul-de-sac has been acquired and construction of the cul-de-sac is authorized by Council. Further such easement shall be of a minimum size and terms satisfactory to the General Manager, Transportation, Operations & Engineering Division and to the Manager, Development Engineering Section."

16. "The Gardens of Rymal – Phase 5 and 6", Hamilton, (Cash Payment in Lieu of 5% Parkland Dedication)

That the City of Hamilton accept the sum of $ 42,000.00 for The Gardens of Rymal – Phase 5 and $35,650.00 for The Gardens of Rymal - Phase 6 as the payment in lieu of the 5% land dedication in connection with "Gardens of Rymal – Phase 5 and 6", Hamilton being the cash payment required under Section 51.1 of thePlanning Act.

17. Part Lot Control Application 99-04, Samuel Guerriero, owner, to Remove Part-Lot Control – Block 19, Registered Plan 62M-829, "Eagleview Estates, Phase 1"

(a) That approval be given to Part Lot Control Application 99-04, Samuel Guerriero, owner, to remove part-lot control for Block 19, located in "Eagleview Estates, Phase 1", Registered Plan 62M-829, to permit the subdivision of Block 19 into 4 blocks to be merged with the abutting lands for 4 lots for single detached dwellings, as shown on the attached map marked as APPENDIX "N";

(b) That the General Manager, Community Planning and Development Division be authorized and directed to prepare a By-law to remove part lot control from Block 19, Registered Plan 62M-829, "Eagleview Estates, Phase 1"

plan of subdivision, for presentation to City Council;

(c) That the exempting by-law not be presented to City Council until such time as the following conditions have been fulfilled to the satisfaction of the General Manager, Community Planning and Development Division:

i) finalization of Zoning Application 99-13 for a modification to the established "C" (Urban Protected Residential, etc.) District and for change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for the lands known as 1487 Upper Sherman Avenue;

ii) the owner enter into a Modified Subdivision Agreement with the City of Hamilton for the purposes of lot grading and pay all outstanding servicing costs and any other requirements of the City of Hamilton;

iii) the owner pay all outstanding property, road or servicing costs adjacent to Dalia Avenue adjacent to the lands being severed under Severance Applications B-99:31 and B-99:32; and,

iv) that the owner agree in writing to merge Parts 2, 3, 4 and 5 with Parts 6, 7, 8 and 9, respectively, on the draft reference plan attached as APPENDIX "O";

(d) That the exempting by-law be restricted to a 1 year effective time period to expire 1 year from the date of passage of the by-law; and,

(e) That following the enactment of this by-law, the Commissioner, Regional Environment Department (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

18. **Request for Revised Draft Plan of Condominium – 400 York Boulevard**

(a) That approval be given to Revised Condominium Application 25CDM-89003(R) "400 York Boulevard", 1210800 Ontario Limited (Luft Enterprises Inc.), owner, to establish a revised draft plan of condominium, for an existing building known municipally as 400 York Boulevard, as shown on the attached map marked as APPENDIX "P", subject to the following conditions:

(i) That this approval apply to the plan prepared by R. Avis Surveying Inc. and certified by R. Avis, O.L.S., dated July 31, 1998, showing a total of 33 apartment units;

(ii) That the applicant apply for, and receive final approval for a revision

to the approved site plan for the subject lands (DA-88-138);

(iii) That final plan of condominium comply, in all respects, with the revised Site Plan for the subject lands;

(iv) That the applicant satisfy all conditions of site plan approval applicable to the subject lands to the satisfaction of the City of Hamilton, prior to registration of the Final Plan of Condominium;

(v) That the final plan conform with the applicable provisions of the City of Hamilton Zoning By-law No. 6593;

(vi) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under section 51 of the Planning Act;

(vii) That the Owner enter into an encroachment agreement, as required, with the Region of Hamilton-Wentworth for any existing facia and lighting fixtures which encroach into the York Boulevard road allowance, as widened;

(viii) That the Condominium Corporation be required to enter into and register on title the Agreement of the Condominium Corporation to assume and be bound by the Site Plan Agreement; and,

(ix) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton.

(b) That the Municipal Clerk be directed to advise the Director, Land Development, Community Planning and Development Division of Council's decision.

19. **Request for a further six month extension for the approval of Site Plan Control Application DA-95-21 for an addition to the existing development for St. Peter's Hospital, 88 Maplewood Avenue**

That approval be given to the request by St. Peter's Hospital, owner, at 88 Maplewood Avenue, as shown on the attached map marked as Appendix "Q", for a further extension to the approval of Site Plan Control Application DA-95-21 to November 30, 1999, and that at the end of this period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control.

20. Community Heritage Trust Program – 256 MacNab Street North

That a loan under the Community Heritage Trust Fund Program in the amount of two thousand, eight hundred and sixty-one dollars ($2,861) to Ms. Helen Kirkpatrick for improvements to 256 MacNab Street North, Hamilton, be approved, subject to the fulfillment of the requirements of the program.

21. Community Heritage Trust Program – 258 MacNab Street North

That a loan under the Community Heritage Trust Fund Program in the amount of two thousand, eight hundred and sixty-two dollars ($2,862) to Mr. Thomas Baker for improvements to 258 MacNab Street North, Hamilton, be approved, subject to the fulfillment of the requirements of the program.

22. Downtown Convert/Renovate-to-Residential Loan Program & Core Heritage 2000 Program, 129 Rebecca Street

(a) That a loan under the Downtown Convert/Renovate-to-Residential Loan Program in the amount of two hundred and forty-five thousand, one hundred and forty dollars ($245,140) to 1333664 Ontario Inc., (Mike Valvasori and Dave Valvasori), for conversion of 129 Rebecca Street into 19 residential units be approved, subject to the fulfillment of the borrowing requirements of the Downtown Convert/Renovate-to-Residential Loan Program.

(b) That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of twenty thousand, two hundred and ninety four ($20,294) to 1333664 Ontario Inc., (Mike Valvasori and Dave Valvasori) of 129 Rebecca Street, be approved, subject to the fulfillment of the requirements of the Core Heritage 2000 Program.

23. Commercial Property Loan Improvement Program – Loan Increase, 415 Barton Street East

(a) That the original loan of fifteen thousand, nine hundred dollars ($15,900) to Alcino Duarte, for improvements to 415 Barton Street East, be increased by six thousand, nine hundred and fifty dollars ($6,950), totalling twenty-two thousand, eight hundred and fifty dollars ($22,850), subject to the fulfillment of the borrowing requirements of the Commercial Property Improvement Loan Program.

(b) That a grant increase from the Barton Street Revitalization Fund in the amount of three thousand, four hundred and seventy-five dollars ($3,475) be utilized to pay-down this loan increase as per the terms of the Barton Street Revitalization Program.

24. Nomination for Ontario Heritage Foundation's Annual Heritage Community Recognition Award

That Rev. Dr. T. Melville Bailey be nominated as the City of Hamilton's nominee for the 1999 Ontario Heritage Foundation's Heritage Community Recognition Award in recognition of his commitment and achievements in the areas of research/documentation and advocacy for the preservation of Hamilton's cultural and built heritage.

25. Cash-in-Lieu of Parking - 1208 Main Street East (99.2.4.2.1.A, 99.4.2.1.A)(PDC99033)

(a) That in accordance with the Cash-in-Lieu of Parking policy, that Dr. D. A. Gordon be required to pay to the City of Hamilton the sum of $11,375, which is 50% of the cost of five (5) parking spaces at a total cost of $22,750; and,

(b) That a Cash-in-Lieu Agreement be approved subject to the following conditions:

(i) Payment duration shall be for ten years with ten annual installments; and,

(ii) Interest shall be charged on the outstanding balance at the prime rate of the CIBC, plus 2% adjusted quarterly in accordance with the policy for charging interest on outstanding accounts; and,

(c) That Corporate Services Division be authorized and directed to prepare the Cash-in-Lieu agreement.

26. Lister Block/Federal Government Services Building Application to the Tax Incentive Program

(a) That the application to the City by LIUNA and Canderel-Stoneridge Equity Group Inc. for a grant to be applied to the owner's costs of rehabilitating the historic designated Lister Block Building in conformity with the Downtown Community Improvement Plan, (submitted pursuant to the proposed Tax Incentive portion of the said Plan) be approved subject to

the following conditions:

(i) the grant shall be paid annually for a ten year period and the amount of the annual grant shall be the lesser of:

(1) the annual sum of $150,000 or,

(2) the Assessment Office's opinion of the increase during the first taxation year following the restoration work, in the City/Regional portion of realty taxes attributable to the increase in the assessed value as a result of improvements to the property or,

(3) one tenth of the total cost of work related to the historic features, including soft costs; and,

(ii) the grant shall be conditional upon the Lister Block Building's exterior historic features being restored in accordance with Design Guidelines approved by Council; and,

(iii) the annual grant shall be paid to the then registered owner of the property with the first grant being paid during the calendar year following completion of the restoration of the historic features of the Lister Block Building; the current registered owner of the property is a corporation named "Laborer's Union Local 837 Health and Welfare Plan"; and,

(b) That the grant authorized in clause (a) above be conditional upon:

(i) Council passing a by-law to amend the Downtown Community Improvement Plan to include the proposed Tax Incentive Program, in accordance with the notice and public meeting process prescribed in the Planning Act; and,

(ii) The approval of the Minister of Municipal Affairs to the By-law for the said Tax Incentive amendment to the Community Improvement Plan, including the bonusing aspect of such amendment; and,

(c) That as requested by LIUNA in respect of its bid for the proposed Federal Government Services Building at this location, the City now enter into an Agreement with LIUNA, the Laborer's Union Local 837 Health and Welfare Plan, and Canderel-Stoneridge Equity Group Inc. to agree to make the said annual grant subject to the terms and conditions outlined above, the applicable terms of the proposed Tax Incentive Program and such related terms as the

General Manager, Community Planning and Development may require, such agreement to be in a form satisfactory to the Corporate Counsel.

(d) That clauses (a), (b) and (c) above are conditional on Council approval of funding for the proposed Tax Incentive Program.

27. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-33 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 803,819,823,865 and 871 West 5th Street.

(b) C-34 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Northeast Corner of Rexford Drive and Robertsford Drive.

(c) C-35 A By-law to Amend Zoning By-law No. 6593 As amended by Zoning By-law No. 98-210 Respecting Lands Located at Municipal Nos. 1062 and 1088 Upper Paradise Road.

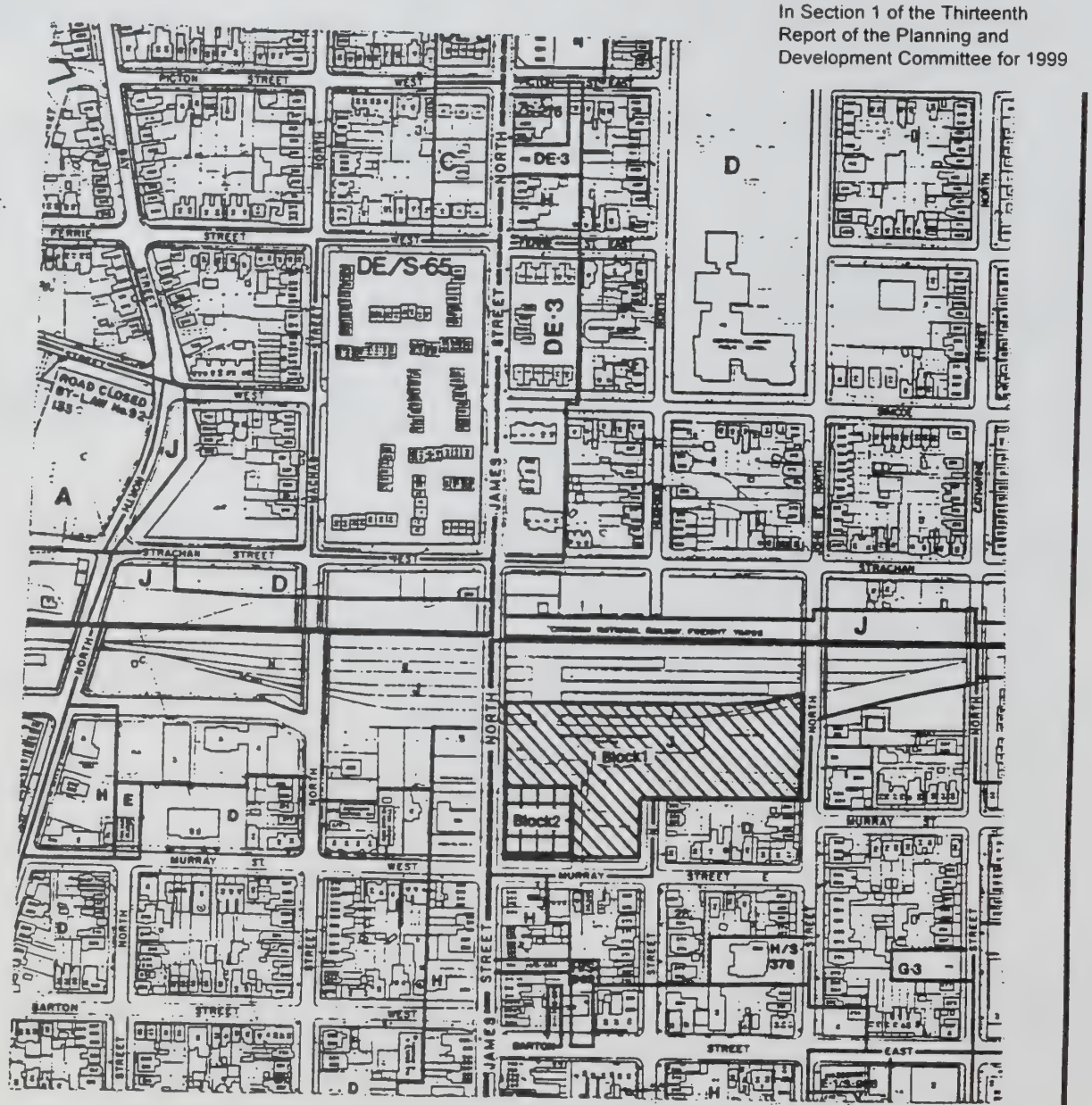
(d) C-36 A By-law to Establish Tariff of Planning Fees and to Repeal By-laws No. 97-084 and 98-284.

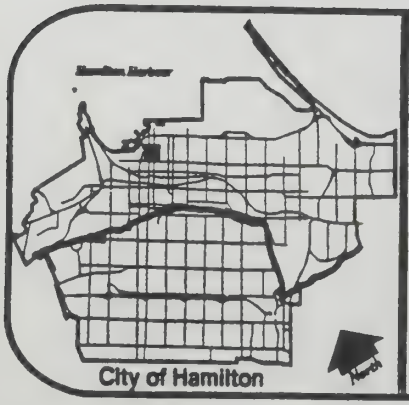
Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE

Tina Agnello, Secretary
June 23, 1999

Appendix "A" referred to
In Section 1 of the Thirteenth
Report of the Planning and
Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

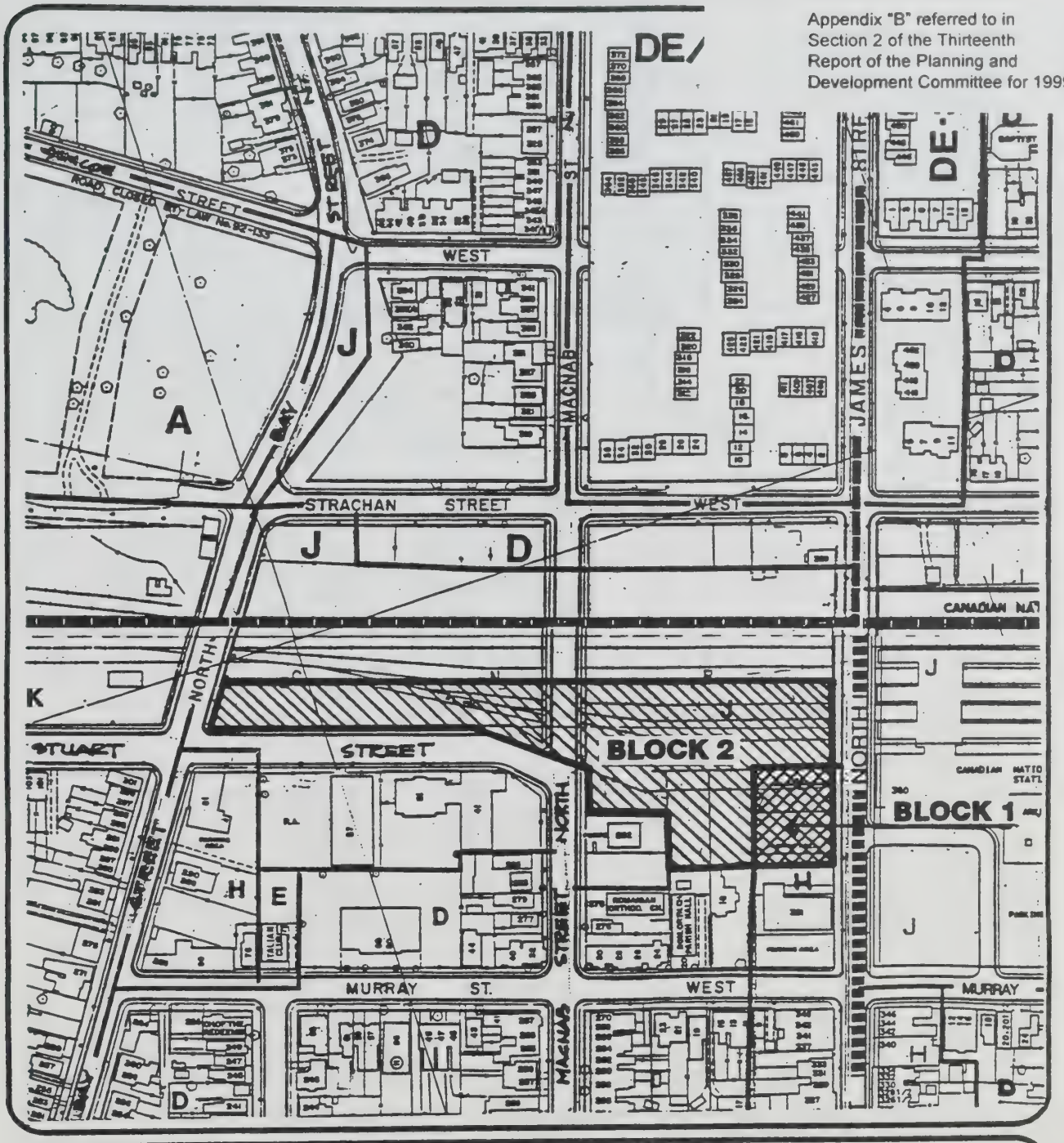
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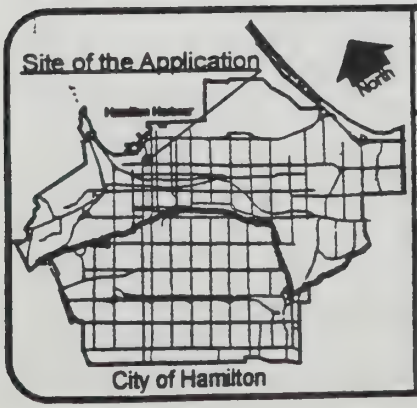
Block1 — Change In Zoning :
From: "J" (Light and Limited Heavy Industrial) District to "H" - "H" (Commercial - Holding) District

Block2 — From: "J" (Light and Limited Heavy Industrial) District to "A" (Conservation, Open Space, Park and Recreation) District

Reference file:	ZAC-99-09
Scale	Not to Scale
Date	MAY,1999
Technician:	FAB
	APPENDIX A

Appendix "B" referred to in Section 2 of the Thirteenth Report of the Planning and Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

Change in Zoning from:

BLOCK 1

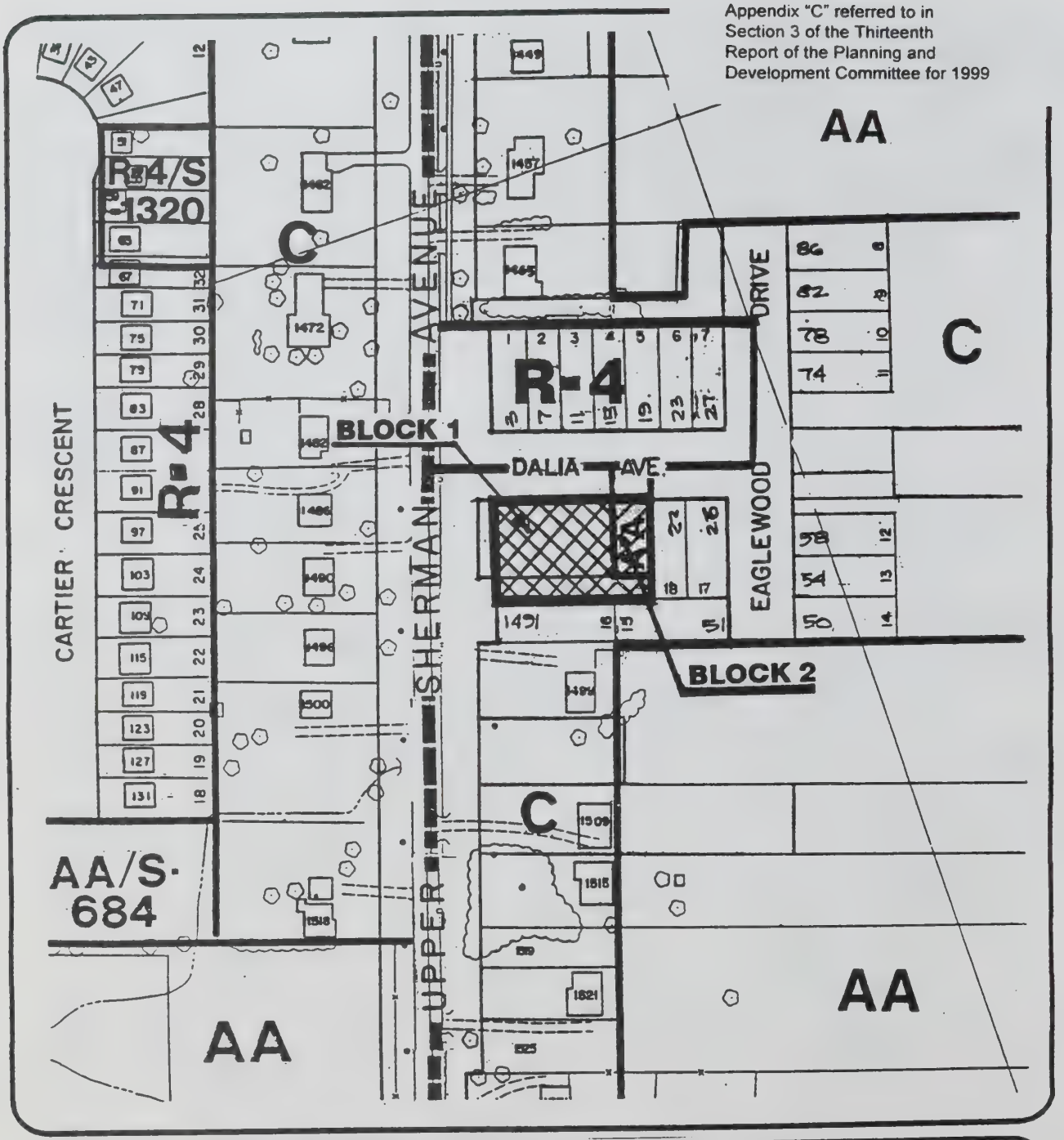
"H" (Community Shopping and Commercial, etc.) District to "G-3"-'H' (Public Parking Lots-Holding) District

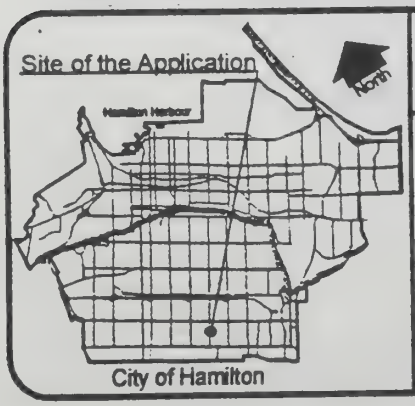
BLOCK 2

"J" (Light and Limited Heavy Industry, etc.) District to "G-3"-'H'(Public Parking Lots-Holding) District

Reference file:	ZAC-99-10
Scale	Not to Scale
Date	May, 1999
Technician:	B. B.
	APPENDIX 'A'

Appendix "C" referred to in Section 3 of the Thirteenth Report of the Planning and Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

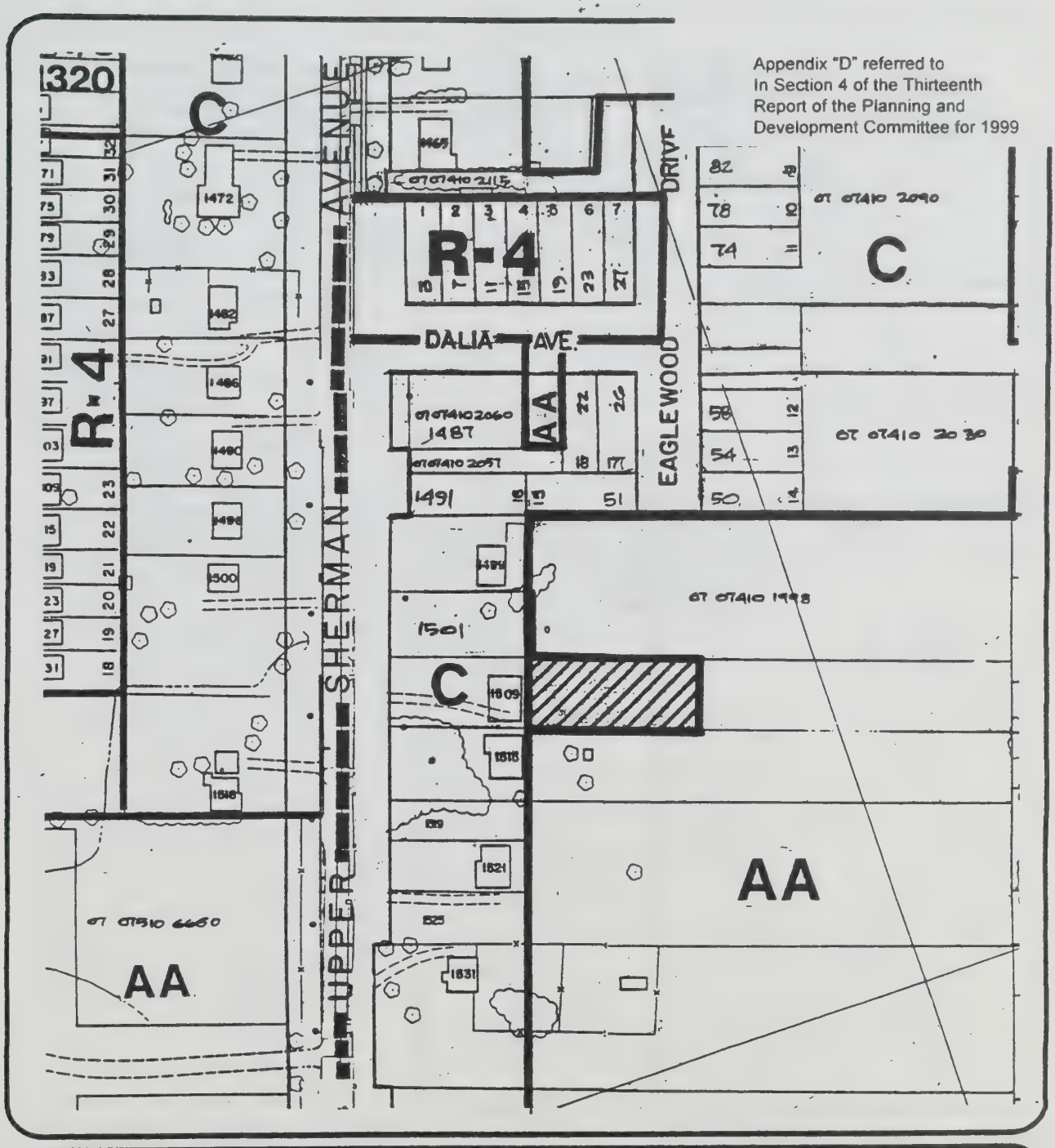
BLOCK 1

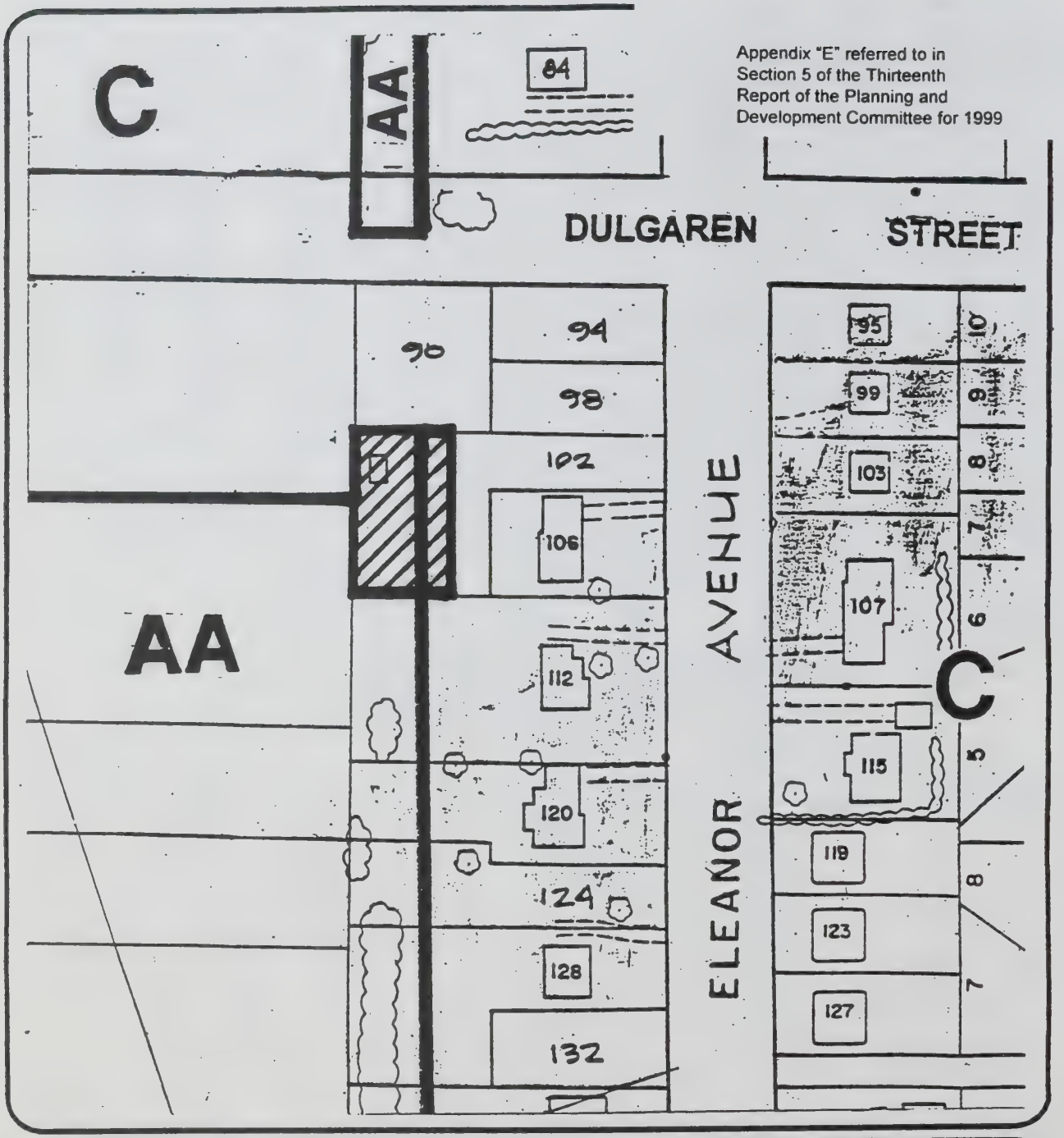
Modification to the "C" (Urban Protected Residential, etc.) District

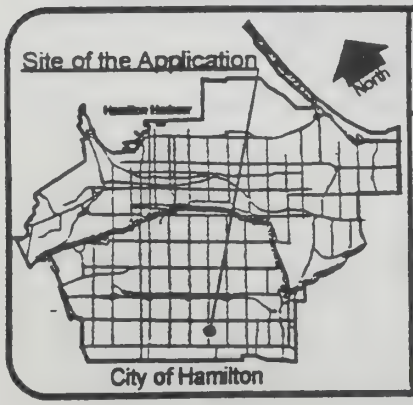
BLOCK 2 Change in Zoning from:

"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, Modified

Reference file:	ZAR-99-13
Scale	Not to Scale
Date	April, 1999
Technician:	B. B.
	APPENDIX 'A'


Appendix "D" referred to
In Section 4 of the Thirteenth
Report of the Planning and
Development Committee for 1999
320
C
R-4
SHERMAN AVENUE
UPPER
R-4
DALIA AVE.
EAGLEWOOD DRIVE
C
AA
AA
C
1472
1482
1486
1490
1496
1500
1501
1509
1515
1521
1525
1531
1487
1491
82
78
74
58
54
50
Site of the Application
City of Hamilton
PLANNING AND DEVELOPMENT DEPARTMENT
Location Map
Legend
Subject Lands
Reference file:
ZAC-99-12
Scale
Not to Scale
Date
April,1999
Technician:
B. B.
APPENDIX 'A'





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

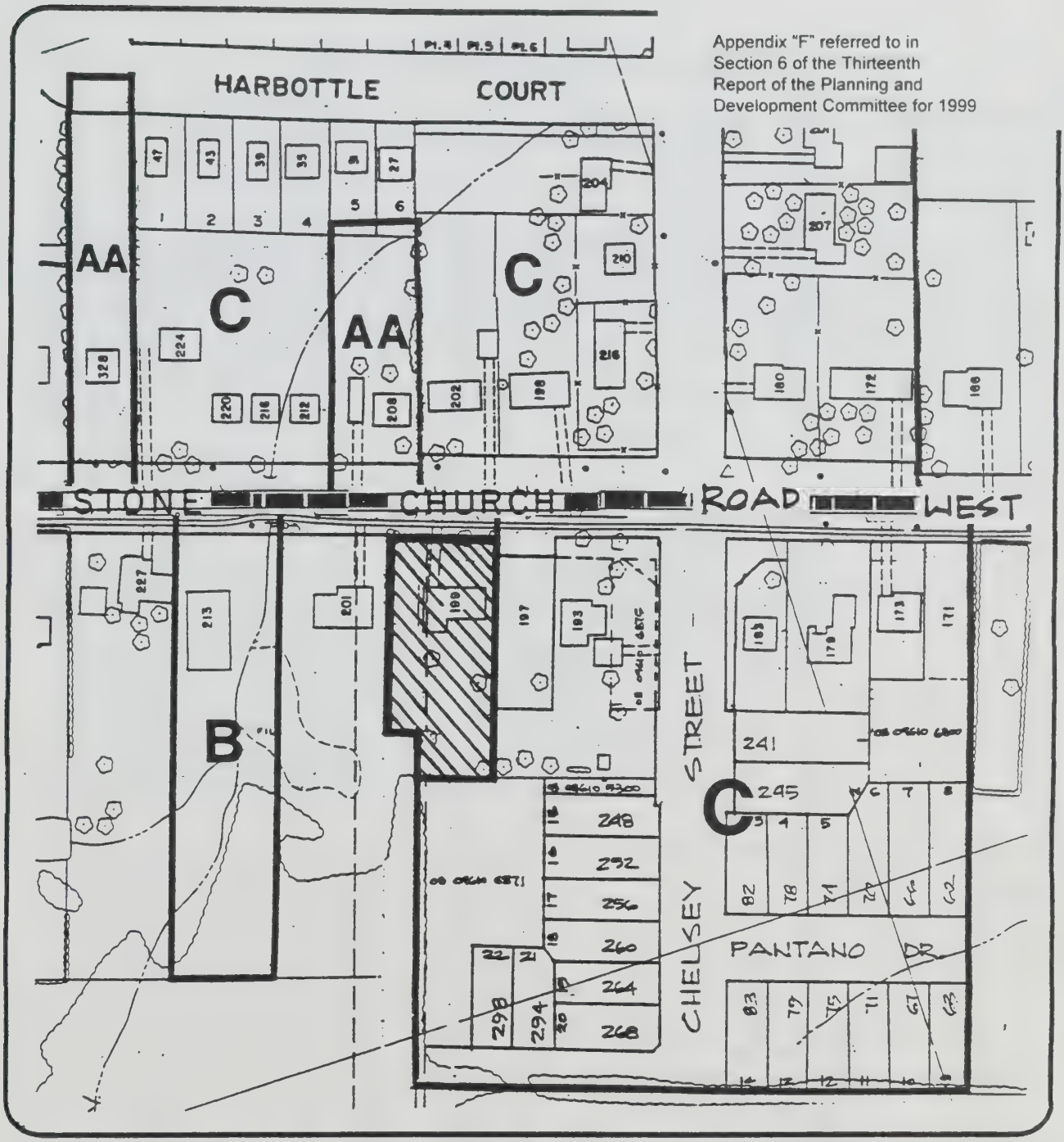
Change in Zoning from:

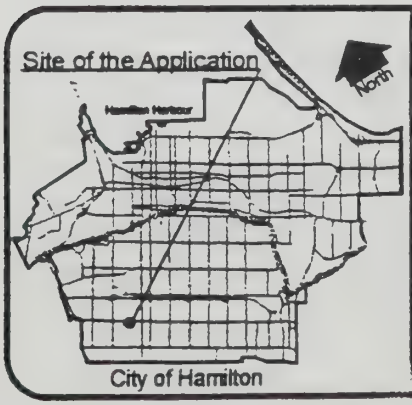
"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District

Reference file:	ZAR-99-15
Scale	Not to Scale
Date	May, 1999
Technician:	B. B.

APPENDIX 'A'

Appendix "F" referred to in
Section 6 of the Thirteenth
Report of the Planning and
Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

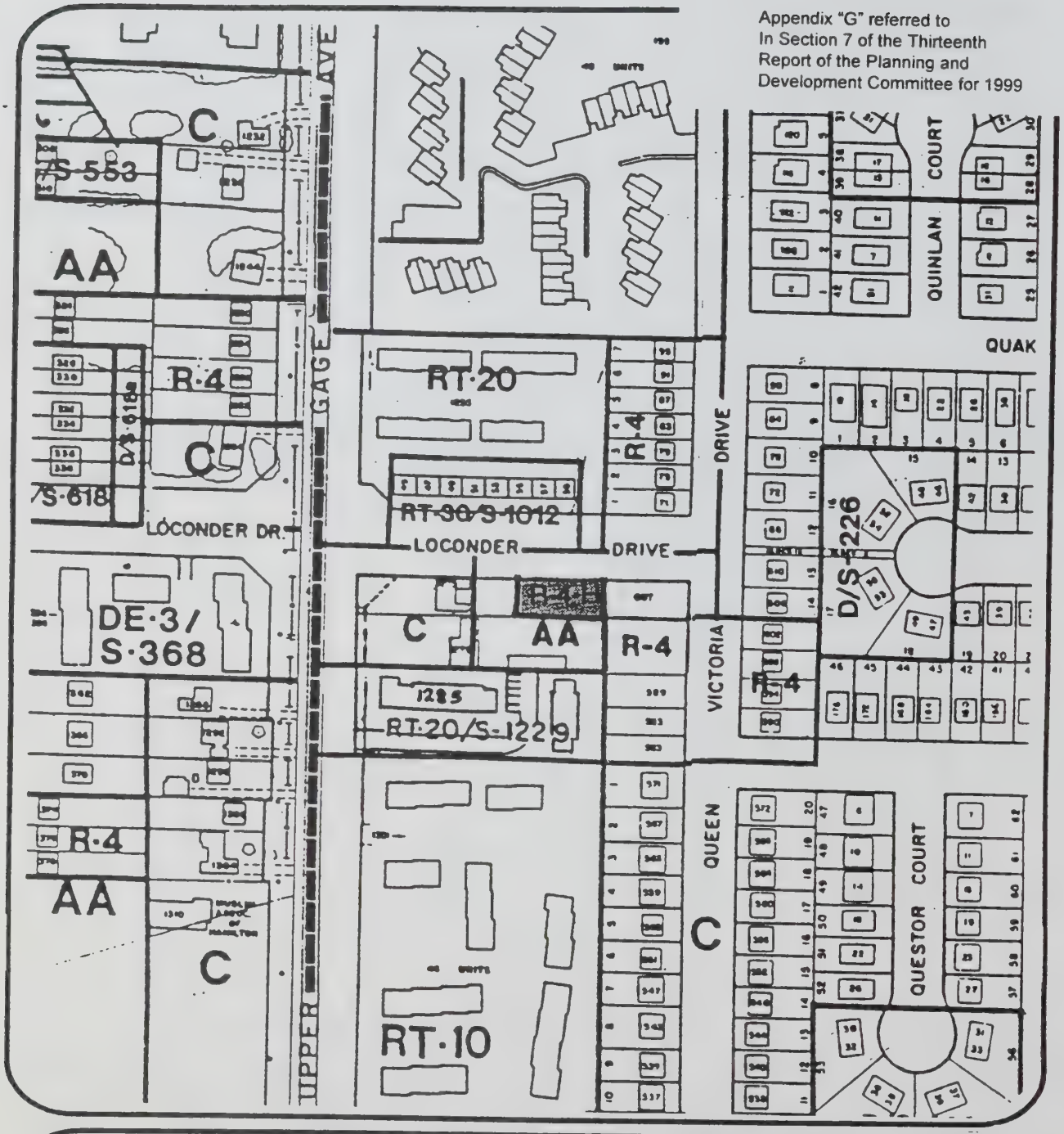
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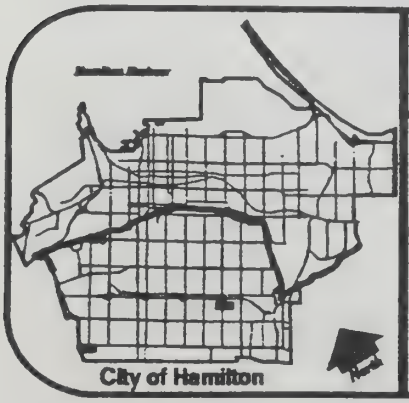
Site of the Application

Reference file	ZAR-99-11
Scale	Not to Scale
Date	March, 1999
Technician:	B. B.

APPENDIX 'A'

Appendix "G" referred to
In Section 7 of the Thirteenth
Report of the Planning and
Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

REMOVAL OF HOLDING PROVISIONS FROM "R-4"-"H" (SMALL LOT SINGLE FAMILY DETACHED HOLDING) DISTRICT TO "R-4" (SMALL LOT SINGLE FAMILY DETACHED) DISTRICT, MODIFIED

Reference file:	ZAC-99-22
Scale	Not to Scale
Date	MAY,1999
Technician:	FAB
	APPENDIX A

Auchmar
88 Fennell Avenue West, Hamilton

REASONS FOR DESIGNATION

Appendix "H" referred to in Section 8 of the Thirteenth Report of the Planning and Development Committee for 1999

In 1852, Scotsman Isaac Buchanan, purchased property on the west mountain for an estate worthy of a successful wholesale merchant, civic leader, and aspiring political figure in the United Provinces of Canada. In 1855, he began building his country manor on lands totalling eighty-six acres. The entire property he named Claremont Park; the walled and landscaped portion he called Auchmar after his family's vast estate on Loch Lomond. This walled estate, consisting of approximately 9.6 acres, is located at the north-east corner of Fennell Avenue West and West Fifth Street.

1850's Country Estate in Hamilton

In Upper Canada during the pre-Confederation era, it was the fashion for wealthy gentlemen to leave their mark on the new country by building magnificent country estates. For over a century Hamilton was distinguished for its legacy of elegant country villas dating from this period, most of which have been lost with the city's expansion. Auchmar is one of only two such estates on Hamilton mountain to survive intact; the other being Chedoke on the escarpment brow.

In some ways, The Honourable Isaac Buchanan's country estate of Auchmar may be considered a sequel to Sir Allan MacNab's estate of Dundurn. Built twenty years later, on the mountain instead of the bay and in a later architectural style, Auchmar shares many of the same planning and design features found at Dundurn.

Essentially, both properties are modelled after the gentleman's country estate of Britain. Like Dundurn, the entrance to Auchmar was heralded by a gate-lodge, located on its northern-most boundary at the escarpment brow (still existing at 71 Claremont Drive). For the requisite scenic approach to the grounds, Auchmar's driveway was designed as a .5 kilometre treed allee (following today's streets of Arcade and Glenwood Crescents) passing through an arched entranceway (now closed) into Buchanan's secluded private grounds. The treed allee continued southwards towards the main focal point, Buchanan's manor house, a home with presence and dignity, enhanced by landscaped gardens. The drive proceeded to circle around to the south entrance facade of the house, designed as a perfect mirror image of the north garden face.

Buchanan's complex includes additional structures typical of a gentleman's estate: a carriage house, two arched passageways, high garden walls, and a square, two-storey dovecote, all constructed in stone. The first stone wall swings north-east from the archway at the carriage house around to the dovecote, creating a sizeable, south-facing walled garden. A second high stone wall extends along the east border of the property and partially across its north boundary, designed to provide privacy and a shelter for Buchanan's original orchard. Most of this orchard wall still exists as do a number of apple trees believed to be remnants from his original planting. A third low stone wall runs along the south border of the property at Fennell Avenue.

Today, this historic enclave, although little known to the outside community, represents a rare and significant cultural heritage landscape, dating from one of Hamilton's most illustrious building periods. In 1970, Buchanan's Auchmar and its gatehouse Claremont Lodge were recognized and plaqued as a property of Provincial significance.

Picturesque Cultural Landscape

Like Dundurn, Auchmar survives today as a rare and outstanding example of a mid-nineteenth century Picturesque country estate, complete with manor house, outbuildings and landscape features. With its built and natural features integrated into a comprehensive design, Auchmar fully upholds the principles of the Picturesque: its setting is secluded and wooded; its structures and landscaping display an interest in movement and variety; and the choice of design capitalises on the play of light and shadow. The verandahs and terraces (now gone) once served to extend interior space outdoors into the garden, another key component of the Picturesque.

The architect of Auchmar is to date unknown; the landscape design is attributed to George Laing, a British landscape architect responsible for gardens at Dundurn Castle and Rock Castle in Hamilton, and Woodend in Ancaster (presently the HRCA headquarters).

Gothic Revival Style

The manor house of Auchmar is considered to be an excellent, full-blown example of the Gothic Revival style in Upper Canada, characterised by the use of such features as multiple gables, bargeboard decoration, pointed arched windows, bay windows and clustered chimney stacks. The lively and intricate detailing of the Gothic style enhances the Picturesque effect of the whole.

By comparison to the more formal Gothic mansions in Hamilton, like Inglewood and Rock Castle, Auchmar takes the more informal, playful aspects of the Gothic Revival and expands them to the grand scale of a country mansion. Unusual, too, is its interior layout based on a Roman cross plan with the central hallway running the width of the house flanked by staircases at each end. Designing identical front and garden facades, likewise, provided an inventive solution to creating equally important facades: the approach (north) side and the formal entry (south) side.

The Gothic Revival style was also successfully integrated throughout the estate. The interior of the manor house shows gothic detailing in the rib vaulting of the hallway, pointed arched doors, decorative wooden shutters, plaster ceiling, fireplaces, etc. Gothic detailing also appears on all the outbuildings--in the matching diminutive gatehouse, in the carriage house's bargeboard and pinnacles; in the dovecote's bargeboard, cupola and traceried pigeon holes; and in the latticed garden pagoda (now gone).

The Honourable Isaac Buchanan

The Honourable Isaac Buchanan (1810-1883) was a man of many achievements–in business, politics and church affairs. He became one of the country's leading wholesale merchants and together with several other businesses established Hamilton as an important wholesale distribution centre. Buchanan was one of Hamilton's major civic leaders from the 1850's to the 1870's, as a promoter of the railway and as a prominent figure in local politics and the Scottish Presbyterian community. He was also an influential figure in the politics of the United Provinces of Canada.

As Entrepreneur

Isaac Buchanan began his mercantile career in Glasgow as an apprentice with the trading firm, William Guild & Co. and moved to Montreal in 1830. By 1834, Isaac and his older brother Peter were able to establish their own firm, Peter Buchanan and Company, based in Glasgow. In 1840, the wholesale dry goods and groceries firm of Buchanan, Harris and Company was established in Hamilton, with a branch office in Montreal. With Isaac's fearless opportunism and his partners' managerial skills, the Buchanan enterprise expanded rapidly, becoming one of the largest and most profitable wholesale businesses in Upper and Lower Canada. Isaac Buchanan played an instrumental role in the formation of boards of trade, becoming first president of the Toronto Board and later the Hamilton Board (formed in 1864).

As Politician

Throughout his life Isaac Buchanan was passionately engaged in politics. In the early 1840's he served as representative for Toronto in the first Legislative Assembly of the Province of Canada. He later served several terms as Hamilton representative (between 1857 and 1867) and was also appointed president of the Executive Council in the 1864 Tache Macdonald administration. He also deserves much of the credit, along with Sir Allan MacNab, for bringing the Great Western Railway to Hamilton.

As Religious Leader

As a man of religion, Buchanan gave liberally in time and wealth to Presbyterian causes and churches across the country. He was strongly committed to promoting the Knox "free" church, donating to the building fund for the first Knox Church in Hamilton (1845) and later bearing the major cost of erecting the MacNab Street Church (1856).

History of Site

The Mountain estate of Isaac and Agnes Buchanan, with its spacious villa and landscaped grounds, provided a fitting setting to raise their large family, entertain dignitaries, and hold church and political functions. Unfortunately, their enjoyment of Auchmar was relatively short-lived. Isaac's increasingly speculative and unprofitable business ventures forced him to begin selling off portions of his landholdings as early as 1862. In 1873, a large parcel to the west was sold for the construction of the Hamilton Asylum for the Insane and the remainder of his property, including Auchmar, was sold the following year to pay his creditors.

After 1874, Auchmar and the remainder of Buchanan's property changed ownership a number of times and continued to be subdivided. Around the turn-of-the-century, Auchmar was owned and occupied by Captain Alfred Trigge and his family. The estate was then acquired by Elsie Buchanan, the youngest daughter of Isaac and Agnes, who in turn sold it to Alan Vernon Young in 1926. During World War II, Auchmar served as a convalescent hospital for the R.C.A.F. The 33-acre property was further subdivided before the remaining portion was sold in 1945 to the Sisters of Social Service, a Roman Catholic order originating in Budapest, Hungary. The Sisters acquired the original building complex and surrounding landscaped grounds (9.6 acres in size) with the intent of opening a novitiate for women studying to become members of the order. The original villa was enlarged in 1963 by the addition of a large rear wing (with a chapel and conference centre) to serve as a retreat house. In recent years, the Sisters have lived in the smaller modernized carriage house.

Significant Features

Many remnants still exist from the layout of Buchanan's original estate but only those features on the present-day Auchmar property are included in the designation.

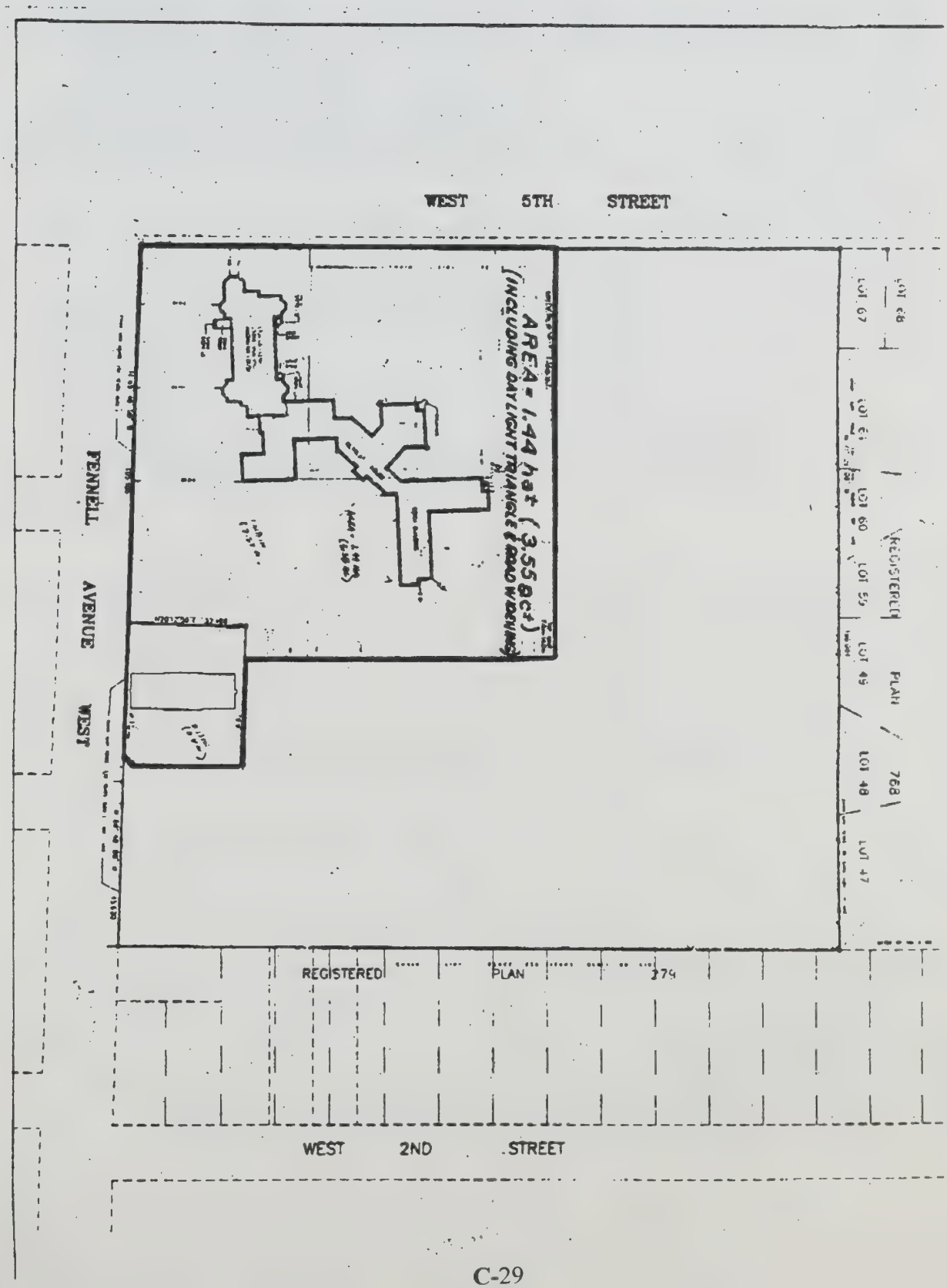
The features important to the preservation of Auchmar include but are not limited to the following: built and natural landscape features: the manor house, carriage house, dovecote, garden walls (four), treed allee, orchard, walled garden and park-like setting with its open space and mature trees.

Significant features of the manor house include but are not limited to the following: all four original exterior facades--walls, gables, dormers, clustered chimney stacks, all original windows including the castellated bay windows, doors, mouldings, decorative bargeboard, pinnacles/pendants and brackets. Included also on the interior are the first and second storey hallways and vaulting, the staircases, and the original walls, doors, windows, shutters, fireplaces, wood and plaster mouldings, and wood panelling.

Significant features include the exterior facades of the carriage house--original stone walls, gables and dormers, and pinnacles; of the dovecote--the original stone walls, gables, bargeboard, traceried pigeon holes; the original stone garden walls with coping stones, openings and gates; and foundation remnants near the wooded area.

Excluded from designation are the later additions to the manor house, the garage and the Holy Spirit Retreat Centre.

Appendix "I" referred to in
Section 9 of the Thirteenth
Report of the Planning and
Development Committee for 1999



Appendix "J" referred to
In Section 9 of the Thirteenth
Report of the Planning and
Development Committee for 1999

SCHEDULE "A"

AUCHMAR
88 Fennell Avenue West, Hamilton

REASONS FOR DESIGNATION

In 1852, Scotsman Isaac Buchanan purchased property on the west mountain for an estate worthy of a successful wholesale merchant, civic leader, and aspiring political figure in the United Provinces of Canada. In 1855, he began building his country manor on lands totalling eighty-six acres. The entire property he named Claremont Park; the walled and landscaped portion he called Auchmar after his family's vast estate on Loch Lomond. The surviving property, consisting of approximately 3.55 acres, is located at the north-east corner of Fennell Avenue West and West Fifth Street.

1850's Country Estate in Hamilton
In Upper Canada during the pre-Confederation era, it was the fashion for wealthy gentlemen to leave their mark on the new country by building magnificent country estates. For over a century Hamilton was distinguished for its legacy of elegant country villas dating from this period, most of which have been lost to the city's expansion. Auchmar is one of only two historic villas on Hamilton mountain to survive intact; the other being Chedoke on the escarpment brow.

The Honourable Isaac Buchanan's country estate of Auchmar may be considered a sequel to Sir Allan MacNab's estate of Dundurn in many respects. Built twenty years later, on the mountain instead of the bay and in a later architectural style, Auchmar originally shared many of the same planning and design features found at Dundurn.

Essentially, both properties were modelled after the gentleman's country estate of Britain. Like Dundurn, the entrance to Auchmar was heralded by a gate-lodge, located on its northern-most boundary at the escarpment brow (still existing at 71 Claremont Drive). For the requisite scenic approach to the grounds, Auchmar's driveway was designed as a .5 kilometre treed allee (following today's streets of Arcade and Glenwood Crescents) passing through an arched entranceway (now closed) into Buchanan's secluded private grounds. The treed allee continued southwards towards the main focal point, Buchanan's manor house, a substantial, high-styled home surrounded by landscaped gardens. The drive proceeded to circle around to the south entrance facade of the house, designed as a mirror image of the north garden face.

The present-day (3.55 acre) historic property features the manor house and several additional structures typical of a gentleman's estate: a carriage house, an arched passageway, a square, two-storey dovecote (intended to be moved onto this property), and a low wall at the south border of the property, all constructed in stone.

In 1970, Buchanan's Auchmar and its gatehouse Claremont Lodge were recognized and plaqued as a property of Provincial significance.

Gothic Revival Style
The manor house of Auchmar is considered to be an excellent, full-blown example of the Gothic Revival style in Upper Canada, characterised by the use of such features as multiple gables, bargeboard decoration, pointed arched windows, bay windows and

clustered chimney stacks. The lively and intricate detailing of the Gothic style enhances the Picturesque effect of the whole.

By comparison to the more formal Gothic mansions in Hamilton, like Inglewood and Rock Castle, Auchmar uses the informal, playful aspects of the Gothic Revival and expands them to the grand scale of a country mansion. Unusual, too, is its interior layout based on a Roman cross plan with the central hallway running the width of the house; flanked by staircases at each end. Similarly inventive was the use of identical front and garden facades to give equal importance to the approach by driveway from the north and to the formal entry into the house from the south.

The Gothic Revival style was also successfully integrated throughout the estate. The interior of the manor house shows gothic detailing in the rib vaulting of the hallway, pointed arched doors, decorative wooden shutters, plaster ceiling, fireplaces, etc. Gothic detailing also appears on the outbuildings--in the matching diminutive gatehouse (71 Claremont Drive), in the carriage house's bargeboard and pinnacles; in the dovecote's bargeboard and traceried pigeon holes; and in the latticed garden pagoda (now gone).

The Honourable Isaac Buchanan

Original owner of the estate, The Honourable Isaac Buchanan (1810-1883), was a man of many achievements--in business, politics and church affairs. He became one of the country's leading wholesale merchants and together with several other businesses established Hamilton as an important wholesale distribution centre. Buchanan was one of Hamilton's major civic leaders from the 1850's to the 1870's, as a promoter of the railway and as a prominent figure in local politics and the Scottish Presbyterian community. He was also an influential figure in the politics of the United Provinces of Canada.

<u>As Entrepreneur</u>

Isaac Buchanan began his mercantile career in Glasgow as an apprentice with the trading firm, William Guild & Co. and moved to Montreal in 1830. By 1834, Isaac and his older brother Peter were able to establish their own firm, Peter Buchanan and Company, based in Glasgow. In 1840, the wholesale dry goods and groceries firm of Buchanan, Harris and Company was established in Hamilton, with a branch office in Montreal. With Isaac's fearless opportunism and his partners' managerial skills, the Buchanan enterprise expanded rapidly, becoming one of the largest and most profitable wholesale businesses in Upper and Lower Canada. Isaac Buchanan played an instrumental role in the formation of boards of trade, becoming first president of the Toronto Board and later the Hamilton Board (formed in 1864).

<u>As Politician</u>

Throughout his life Isaac Buchanan was passionately engaged in politics. In the early 1840's, he served as representative for Toronto in the first Legislative Assembly of the Province of Canada. He later served several terms as Hamilton representative (between 1857 and 1867) and was also appointed president of the Executive Council in the 1864 Tache Macdonald administration. He also deserves much of the credit, along with Sir Allan MacNab, for bringing the Great Western Railway to Hamilton.

As Religious Leader

As a man of religion, Buchanan gave liberally in time and wealth to Presbyterian causes and churches across the country. He was strongly committed to promoting the Knox "free" church, donating to the building fund for the first Knox Church in Hamilton (1845) and later bearing the major cost of erecting the MacNab Street Church (1856).

History of Site

The Mountain estate of Isaac and Agnes Buchanan, with its spacious villa and landscaped grounds, provided a fitting setting to raise their large family, entertain dignitaries, and hold church and political functions. Unfortunately, their enjoyment of Auchmar was relatively short-lived. Isaac's increasingly speculative and unprofitable business ventures forced him to begin selling off portions of his landholdings as early as 1862. In 1873, a large parcel to the west was sold for the construction of the Hamilton Asylum for the Insane and the remainder of his property, including Auchmar, was sold the following year to pay his creditors.

After 1874, Auchmar and the remainder of Buchanan's property changed ownership a number of times and continued to be subdivided. Around the turn-of-the-century, Auchmar was owned and occupied by Captain Alfred Trigge and his family. The estate was then acquired by Elsie Buchanan, the youngest daughter of Isaac and Agnes, who in turn sold it to Alan Vernon Young in 1926. During World War II, Auchmar served as a convalescent hospital for the R.C.A.F. The 33-acre property was further subdivided before the remaining portion was sold in 1946 to the Sisters of Social Service, a Roman Catholic order originating in Budapest, Hungary. The Sisters acquired the original building complex and surrounding landscaped grounds (9.6 acres in size) with the intent of opening a novitiate for women studying to become members of the order. The original villa was enlarged in 1963 by the addition of a large rear wing (with a chapel and conference centre) to serve as a retreat house. In recent years, the Sisters have lived in the smaller modernized carriage house.

Significant Features

Many remnants still exist from the layout of Buchanan's original estate but only those features on the present-day Auchmar (3.55 acre) property are included in the designation.

The features important to the preservation of Auchmar include but are not limited to the following built and natural landscape features: the manor house, carriage house with its arched entranceway, the dovecote(intended to be moved to this property), and its open space and mature trees.

Significant features of the manor house include but are not limited to the following: all four original exterior facades--walls, gables, dormers, clustered chimney stacks, all original windows including the castellated bay windows, doors, mouldings, decorative bargeboard, pinnacles/pendants and brackets. Included also on the interior are the first and second storey hallways and vaulting, the staircases, and the original walls, doors, windows, shutters, fireplaces, wood and plaster mouldings, and wood panelling.

Significant features of the carriage house include the exterior facades--original stone walls, gables,dormers, and pinnacles—with its arched stone entranceway; and significant features of the dovecote include the exterior facades--the original stone walls, gables, bargeboard, traceried pigeon holes and cupola (since removed).

Excluded from designation are the later additions to the manor house, the garage and the Holy Spirit Retreat Centre.

Appendix "K" referred to in
Section 15 of the Thirteenth
Report of the Planning and
Development Committee for 1999

23. (a) That approval be granted to application CDM-CONV-98-003 submitted by 822938 Ontario Inc., In trust (Bruno Megna), owner, for a draft plan of condominium for property located at No. 75 Glenburn Court, as shown on the attached map marked as Appendix "R", to provide for a condominium comprised of 108 individual apartment condominium units, subject to the following conditions:

(i) That this approval applies to the attached draft plan dated 1998 March 16, attached as Appendix "S", prepared by Consoli & Jacobs Surveying Ltd.; and,

(ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor; and,

(iii) That prior to approval of the final plan:

(1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law No. 6593 and the Official Plan, and

(2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593; and,

(iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-97-005); and,

(v) That the owner shall have satisfied the following conditions of Committee of Adjustment decision A-97:183:

(1) The provision of a 1.32m (4.33') planting strip along the westerly lot line of the parking area; and,

(2) the provision and maintenance of a chain link fence at least 5' in height along the full length of the easterly property line (ravine edge).

(vi) That the owner, 822938 Ontario Inc., enter into an Encroachment Agreement with the City of Hamilton, to the satisfaction of the Roads Department;

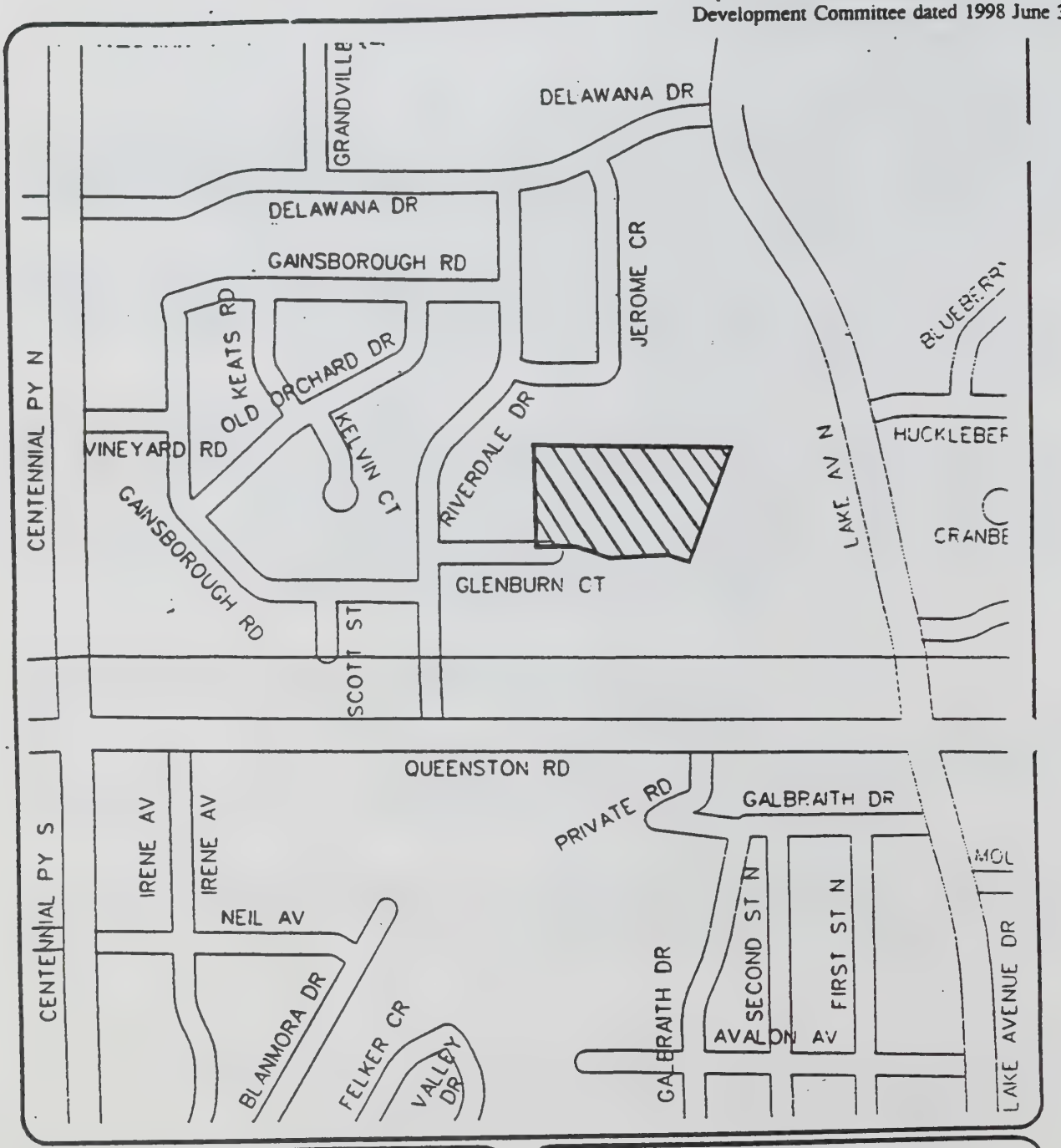
(vii) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,

(viii) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required.

(b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,

(c) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.

Appendix "R" as referred to
in Section 23 (a) of the Thirteenth
Report of the Planning and
Development Committee dated 1998 June 30



City of Hamilton

Key Map

CDM-CONV-98-003

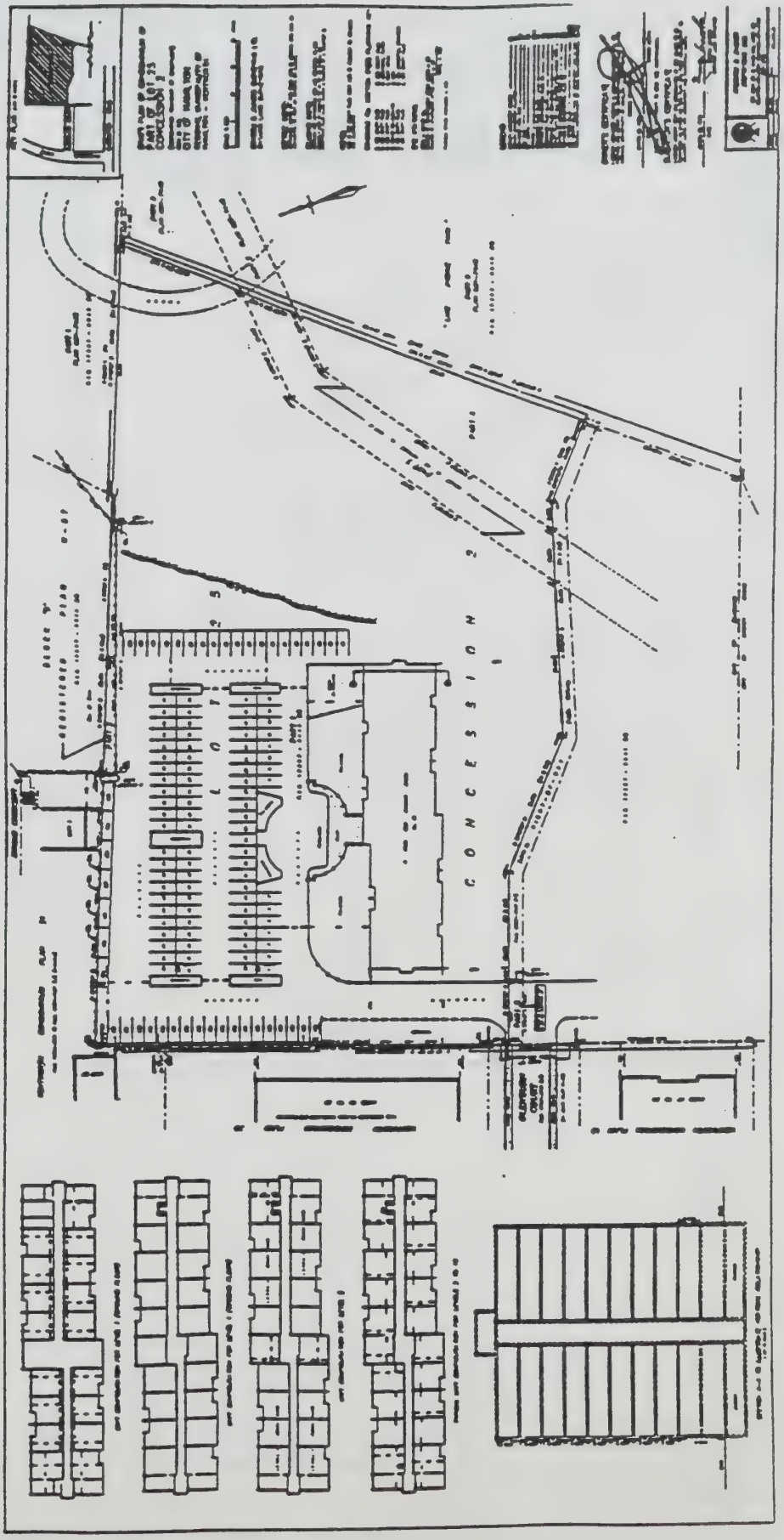
Planning and Development Department

Legend

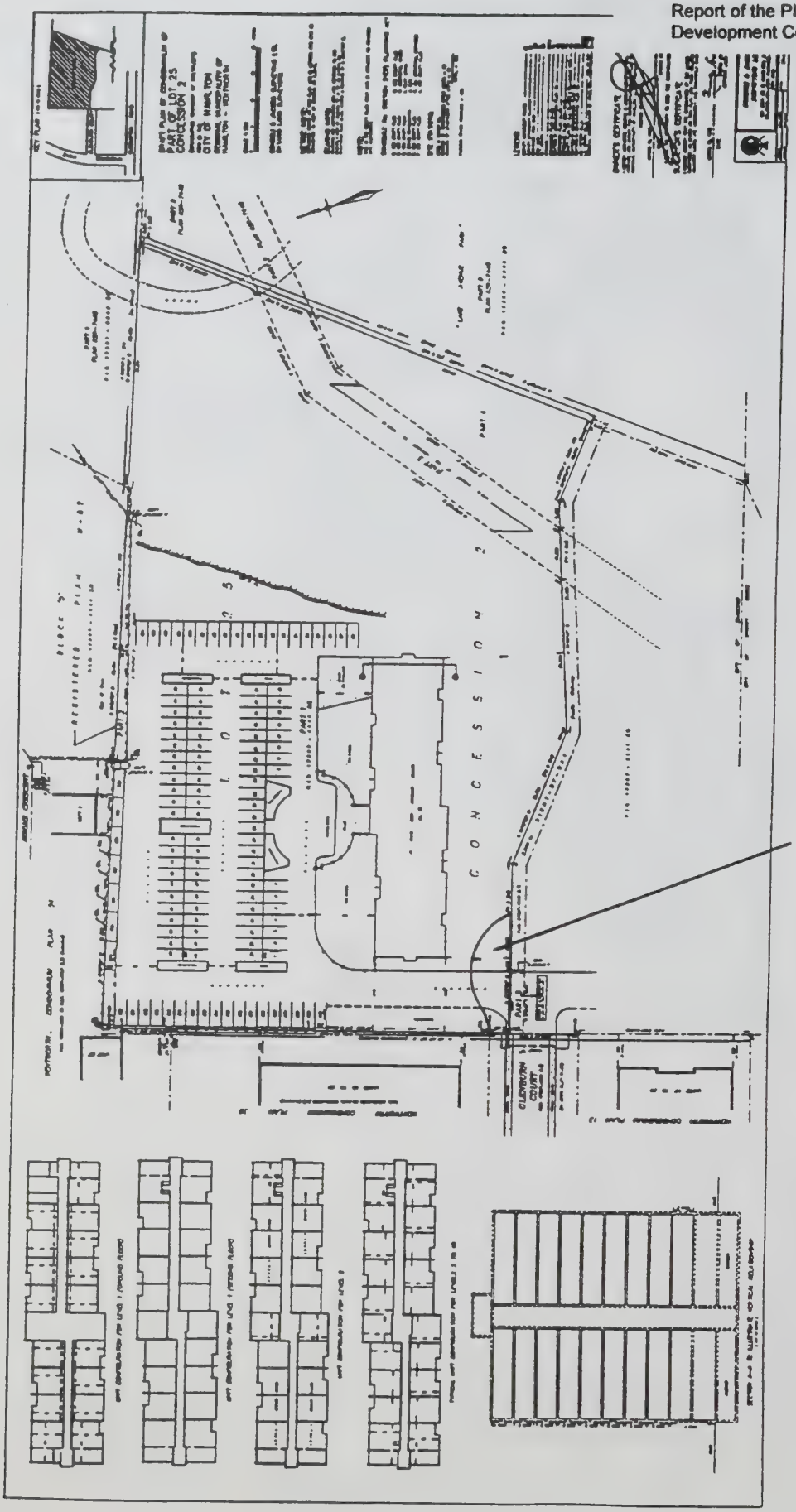
75 Glenburn Court

North	Scale	Reference File No.
	NOT TO SCALE	CDM-CONV-98-003
	Date	Drawn By
	April 1998	B.B

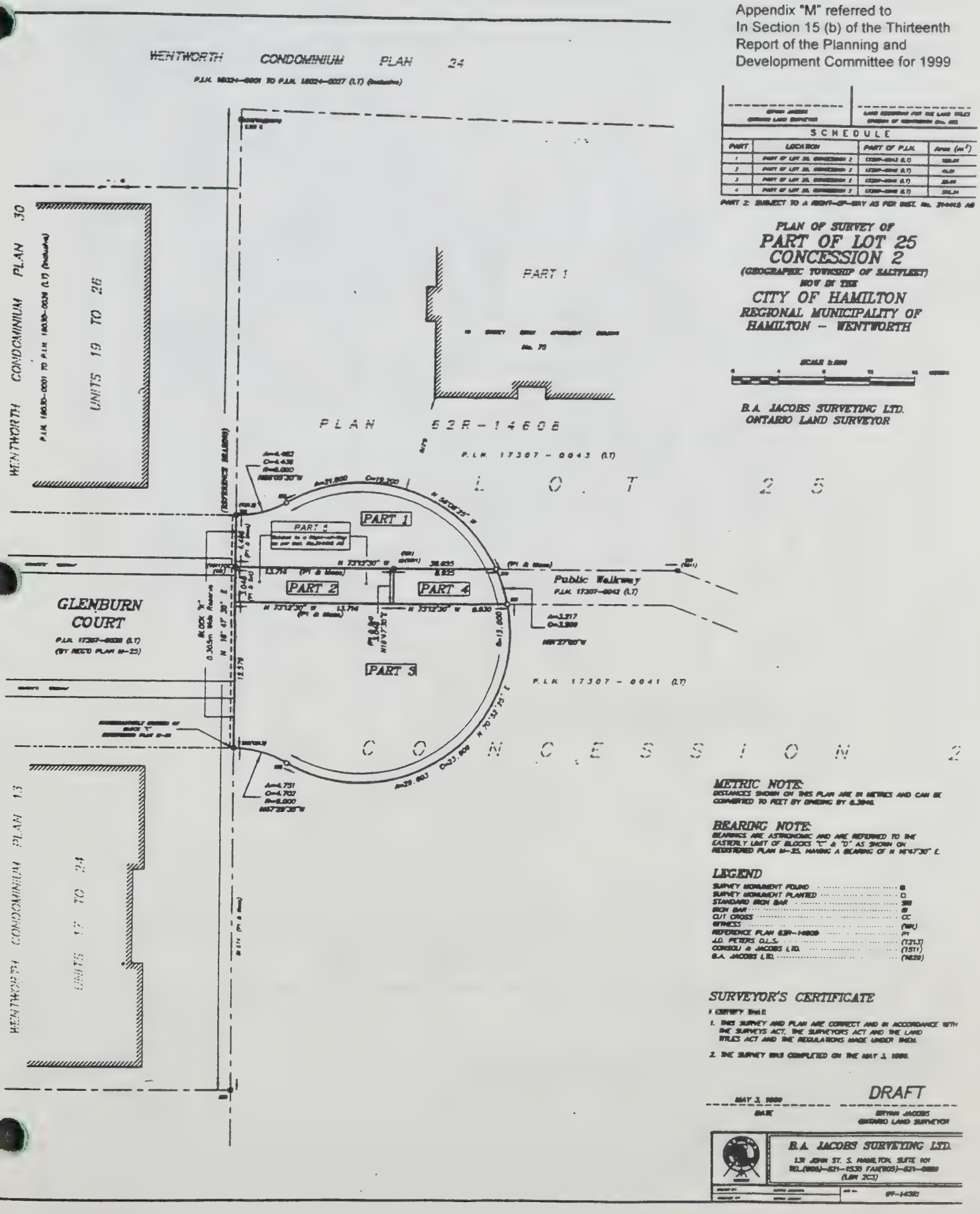
Appendix "S" as referred to in
Section 23 (a) (i) of the Thirteenth Report
of the Planning and Development
Committee dated 1998 June 30



Appendix "L" referred to in Section 15 (a) of the Thirteenth Report of the Planning and Development Committee for 1999



Appendix "M" referred to
In Section 15 (b) of the Thirteenth
Report of the Planning and
Development Committee for 1999



SCHEDULE

PART	LOCATION	PART OF P.I.N.	Area (m^2)
1	PART OF LOT 25, CONCESSION 2	17307-0043 (LT)	1220.01
2	PART OF LOT 25, CONCESSION 2	17307-0042 (LT)	43.20
3	PART OF LOT 25, CONCESSION 2	17307-0041 (LT)	23.40
4	PART OF LOT 25, CONCESSION 2	17307-0042 (LT)	208.34

PART 2: SUBJECT TO A RIGHT-OF-WAY AS PER INST. No. 310415 AB

PLAN OF SURVEY OF
PART OF LOT 25
CONCESSION 2
(GEOGRAPHIC TOWNSHIP OF SALTFLEET)
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF
HAMILTON - WENTWORTH

SCALE 1:200

B.A. JACOBS SURVEYING LTD.
ONTARIO LAND SURVEYOR

METRIC NOTE:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARING NOTE:
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF BLOCKS "C" & "D" AS SHOWN ON REGISTERED PLAN 62-25, HAVING A BEARING OF N 16°47'30" E.

LEGEND

SURVEY MONUMENT FOUND	●
SURVEY MONUMENT PLANTED	□
STANDARD IRON BAR	SIB
IRON BAR	IB
CUT CROSS	CC
WITNESS	(WIT)
REFERENCE PLAN 62R-14608	RP
J.D. PETERS O.L.S.	(1213)
CORBOLI & JACOBS LTD.	(1511)
B.A. JACOBS LTD.	(1639)

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE MAY 3, 1999.

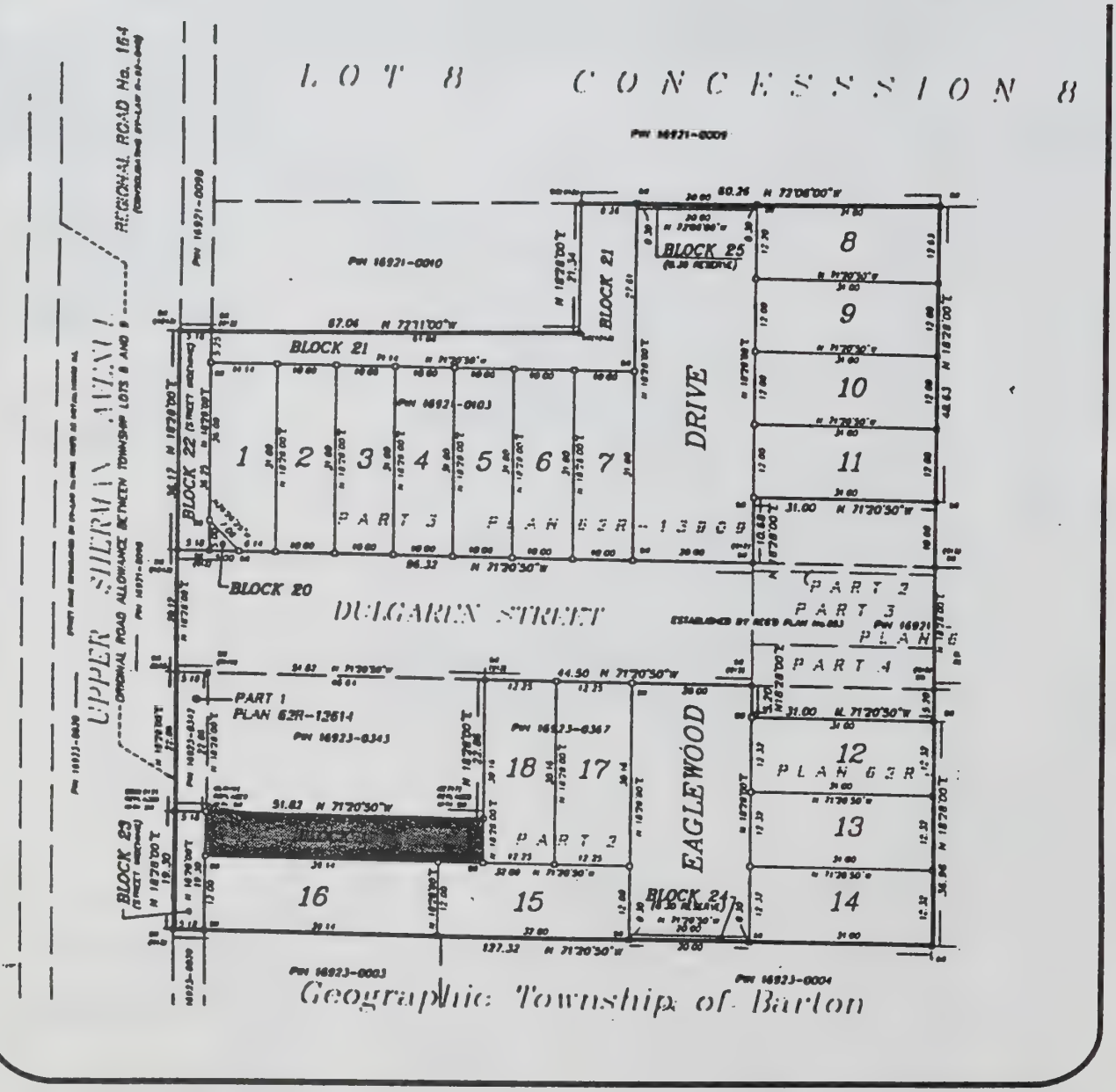
MAY 3, 1999
DATE

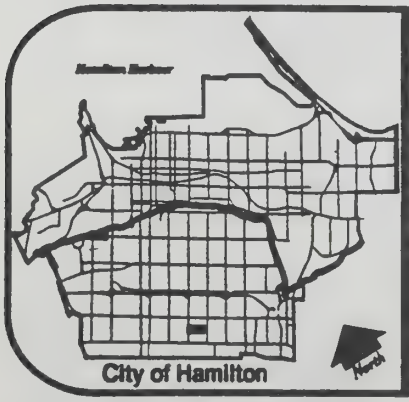
DRAFT
BRYAN JACOBS
ONTARIO LAND SURVEYOR

B.A. JACOBS SURVEYING LTD.
139 JOHN ST. S. HAMILTON, SUITE 101
TEL.(905)-527-1520 FAX(905)-527-0889
(LSN 203)

97-14382

Appendix "N" referred to in
Section 17 (a) of the Thirteenth
Report of the Planning and
Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

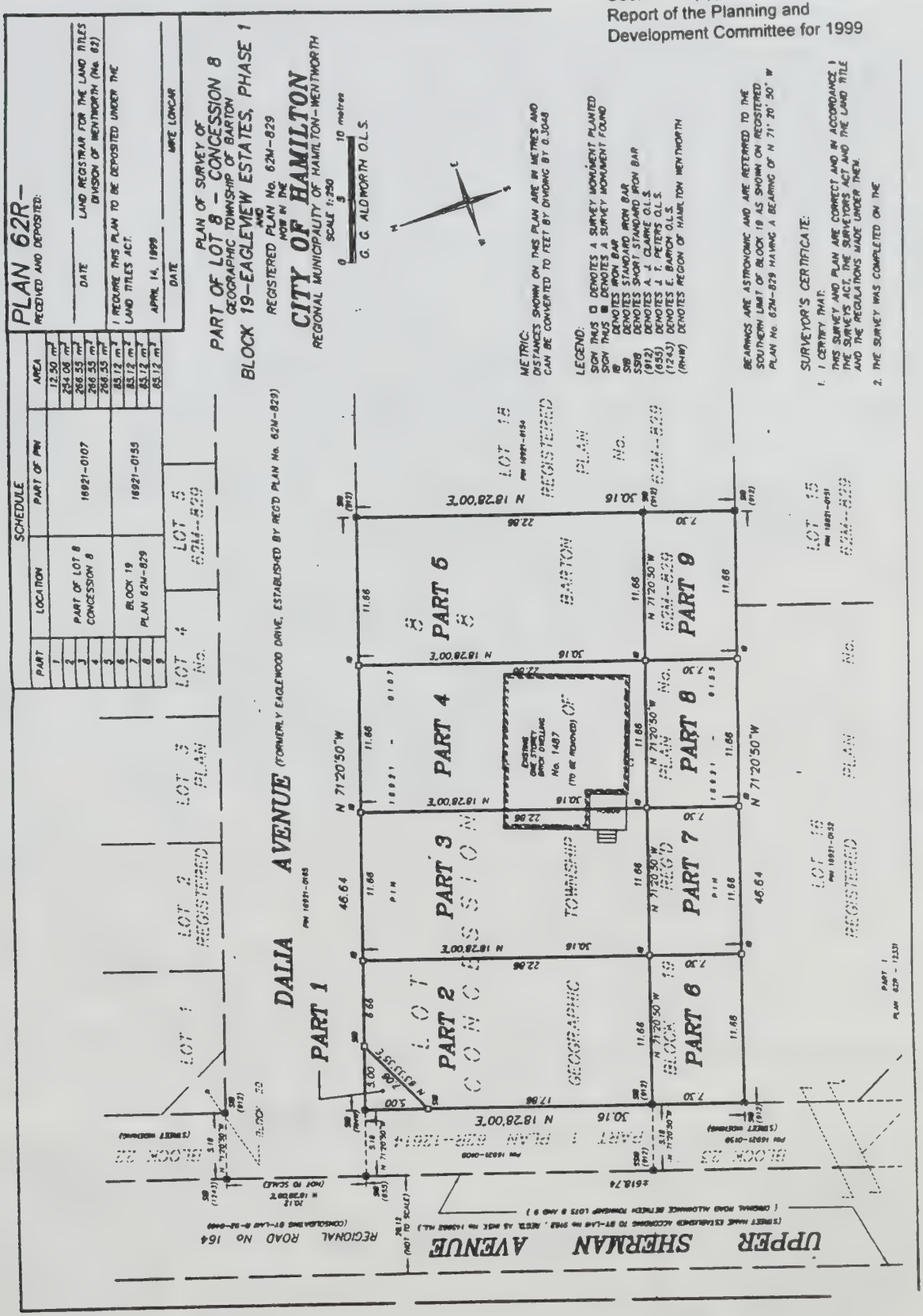
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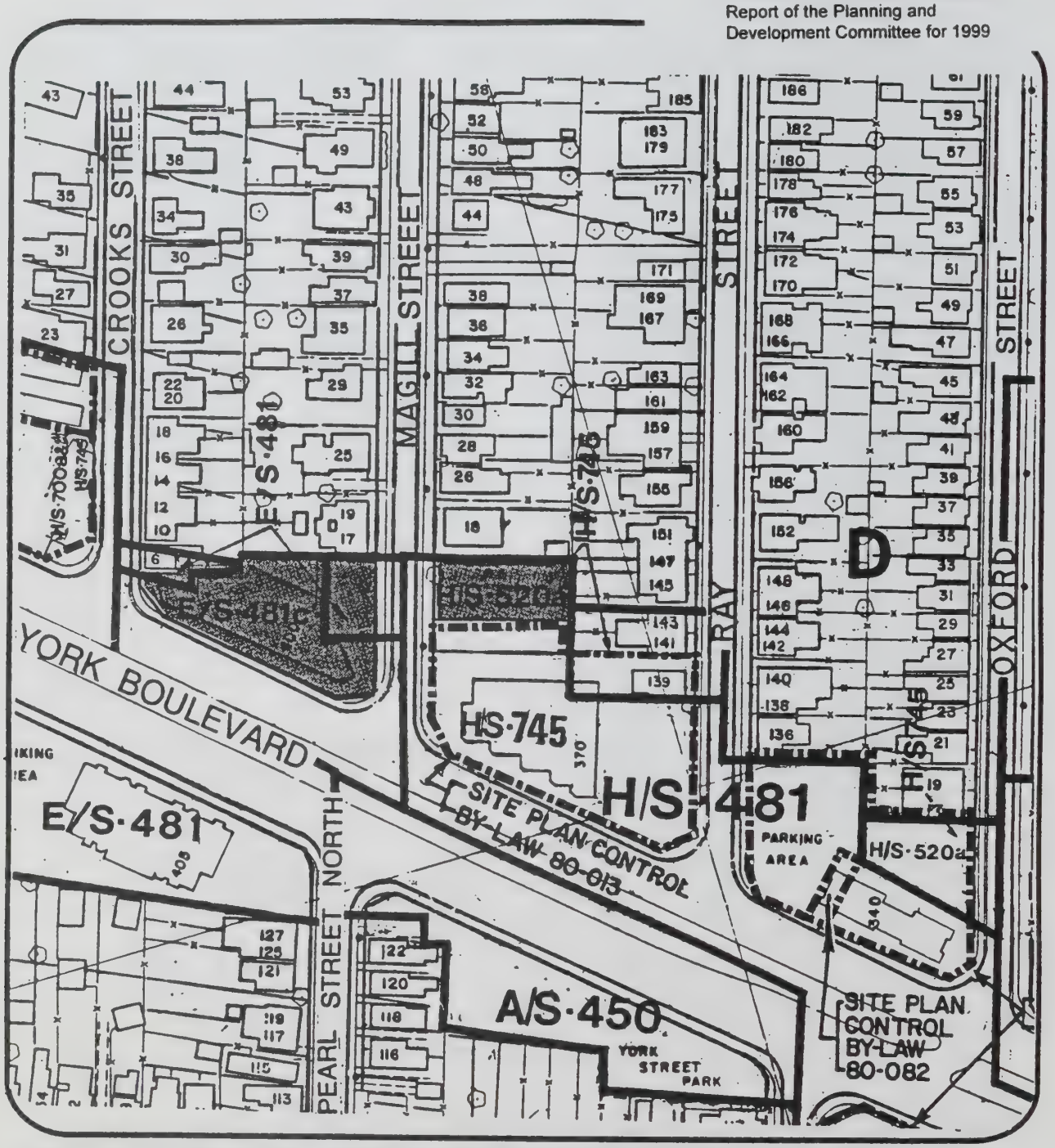
SUBJECT LANDS

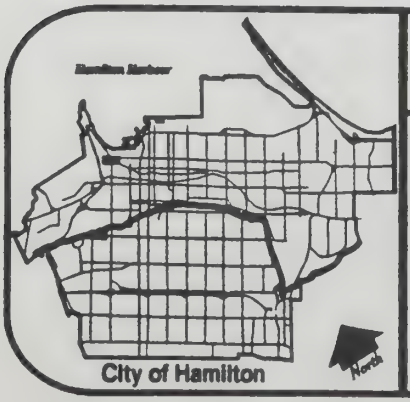
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Date	May,1999
Technician:	FAB
	APPENDIX A

Appendix "O" referred to in Section 17 (c)(iv) of the Thirteenth Report of the Planning and Development Committee for 1999



Appendix "P" referred to
In Section 18 (a) of the Thirteenth
Report of the Planning and
Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

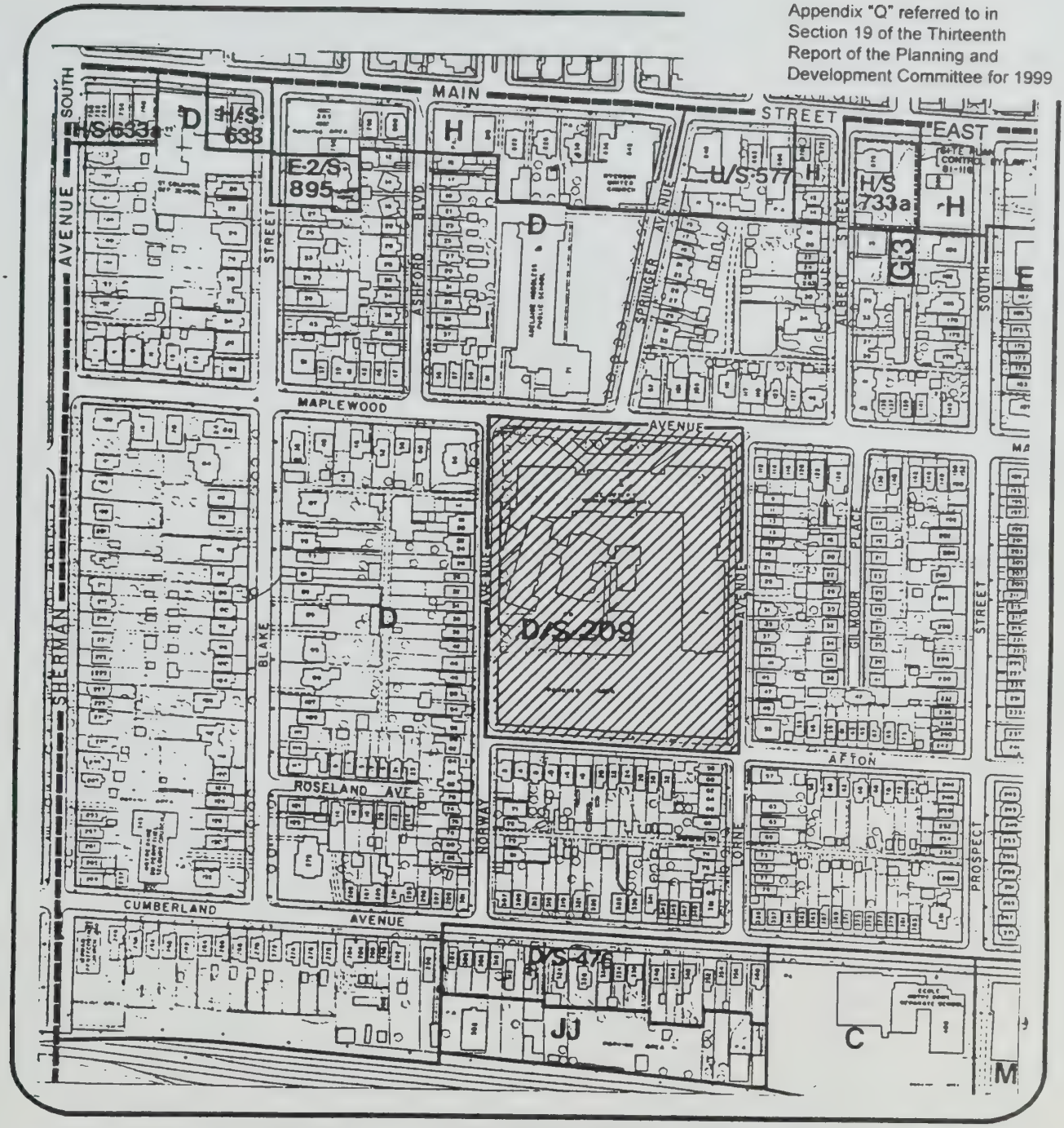
Location Map

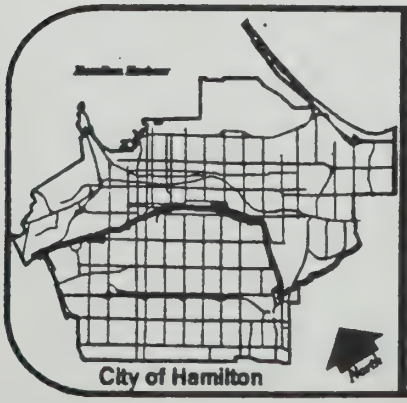
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SUBJECT LANDS

Reference file:	CDM-89003(R)
Scale	Not to Scale
Date	May,1999
Technician:	FAB
	APPENDIX A

Appendix "Q" referred to in Section 19 of the Thirteenth Report of the Planning and Development Committee for 1999





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

Site of the Application

Reference file:	DA-85-21
Scale	Not to Scale
Date	JUNE 1999
Technician:	FAB
	APPENDIX A

FINANCE AND ADMINISTRATION COMMITTEE

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **ELEVENTH** Report for 1999 and respectfully recommends:

1. Appointment By-law – Acting Clerk

(a) That Kevin C. Christenson, Michael A. Rallo and Darryl J. Lee be appointed Temporary Acting Clerk, in the absence of the Clerk: and,

(b) That the by-law, respecting the appointment of a Temporary Acting Clerk, for the City of Hamilton be presented to City Council for approval.

2. City/Region Short-Term Cross Borrowing/Lending (INV99006)

(a) That the General Manager, Finance be authorized to permit short term lending and borrowing between the Corporation of the City of Hamilton and the Region of Hamilton-Wentworth, with short term borrowing activity of either corporation being controlled by each respective corporations' Temporary Borrowing By-law; and,

(b) That this activity be carried out in a manner satisfactory to the Internal Auditor and Corporate Counsel; and,

(c) That Investment Policy diversification guidelines for both the Corporation of the City of Hamilton and the Region of Hamilton-Wentworth permit investment in each others short term debt without limit; and,

(d) That the Chief Investment Officer and either the General Manager, Finance or failing that individual a Director of Finance of these corporations be authorized on behalf of both corporations to enter into such transactions with the understanding that authorization for temporary borrowing activities as specified in the respective Temporary Borrowing By-law must be obtained within a reasonable time period. Specifically the transaction will be reversed if this authorization has not been obtained within five business days of the transaction.

3. **International Brotherhood of Electrical Workers, Local 105 (C01099/HUR99012)**

(a) That the amendment to the International Brotherhood of Electrical Workers and Allied trades, Local 105, Collective Agreement be received pursuant to the Fair Wage Policy of the City of Hamilton and Region of Hamilton-Wentworth; and,

(b) That the Fair Wage Schedule be amended to reflect the increase in pension benefits, the first and second increase in wages and only a portion of the third increase in wages, since the full cost of wages and benefits exceeds the full cost of wages and benefits for similar positions in the Province of Ontario's Fair Wage Schedule and Labour Conditions (Hamilton Zone).

4. **United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the U.S.A. and Canada, Local 67 (C01299/HUR99014)**

(a) That the amendment to the UA, Local 67, Collective Agreement be received pursuant to the Fair Wage Policy of the City of Hamilton and Region of Hamilton-Wentworth; and,

(b) That the Fair Wages Schedule be amended to reflect the increase in pension benefits, the first and second increase in wages and only a portion of the third increase in wages, since the full cost of wages and benefits exceeds the full cost of wages and benefits for similar positions in the Province of Ontario's Fair Wage Schedule and Labour Conditions (Hamilton Zone).

5. **Labourers' International Union of North America, Local 837 (C01199/HUR99013)**

(a) That the amendment to the LIUNA, Local 837, Collective Agreement be received pursuant to the Fair Wage Policy of the City of Hamilton and Region of Hamilton-Wentworth; and,

(b) That the Fair Wages Schedule be amended to reflect the increase in pension and benefits.

6. Social and Economic Impact Study for a Permanent Casino (Charity Casino)

(a) That the study entitled "The Social and Economic Impacts of a Permanent Casino in Hamilton" prepared by Econometric Research Limited and the Social Planning and Research Council for Hamilton-Wentworth, dated April 1999, which was circulated to members of Council, and is available from the Committee Secretary upon request, be received; and,

(b) That the Municipal Clerk be requested to forward "The Social and Economic Impacts of a Permanent Casino in Hamilton" study to the Social and Public Health Services Division; and,

(c) That the Municipal Clerk be requested to forward "The Social and Economic Impacts of a Permanent Casino in Hamilton" study to the Alcohol and Gaming Commission of Ontario for information.

7. 76 John Street North (Municipal Car Park No. 1)

That Section 2 of the Fourth Report for 1999 of the Finance and Administration Committee approved by City Council on February 23, 1999 declaring the property at 76 John Street North surplus to the requirements of the City of Hamilton, in accordance with Real Property Sales Procedural By-law No. 95-049, be rescinded in its entirety.

8. Request from Flamboro Downs for the City's non-objection in locating an additional proposed teletheatre location at Boomers Bar & Eatery, 919 Upper Paradise Road.

That the Ontario Racing Commission be advised that the City of Hamilton objects to the establishment of a proposed teletheatre location for Flamboro Downs at Boomers Bar and Eatery, 919 Upper Paradise Road, Hamilton.

9. 1998 Distribution of Year-End Surpluses

(a) That $209,674 be transferred from the Fire Department's Medical Surveillance account, in the 1998 Current Budget, to the work-in-progress account CF489955035; and,

(b) That the amount of $22,770 with respect to the current year expenditures related to the Plastimet fire be financed from the General Surplus of the 1998 Current Budget; and,

(c) That the provision for severance costs in the amount of $2,788,540 be transferred to the Reserve for Early Retirement; and,

(d) That the amount of $30,000 be transferred from the current budget surplus to the Reserve for the Hosting of Special Dignitaries; and,

(e) That the current budget surplus in tax remissions, etc. of $725,468 be transferred to the Reserve for Tax Stabilization.

10. City of Hamilton Temporary Borrowing By-Law (INV99005)

That By-law R98-308 be repealed and replaced by a By-law authorizing the temporary borrowing of funds by the Corporation of the City of Hamilton for the balance of 1999.

11. 1998 City of Hamilton Financial Report

(a) That the 1998 City of Hamilton Financial Report, which was circulated to members of Council and is available from the Committee Secretary upon request, be approved; and,

(b) That the General Manager, Finance publish the required 1998 Financial Information, based on the audited Report, in the Hamilton Spectator within the next 60 days.

12. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears

(a) That the City of Hamilton be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners as outlined in the schedule, attached herewith and marked Appendix "A", to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994; and,

(b) That the by-law to authorize the said Extension Agreement be presented to City Council for approval; and,

(c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

13. Funding Source – Gage Park Water Spray Pad

That as referred to in Section 12 of the SIXTH Report for 1999 of the Parks and Recreation Committee and approved by City Council on May 11, 1999, the City of Hamilton contribution of $15,000 towards construction of the Water Spray Pad in Gage Park be funded from the Reserve for Capital Projects (00203).

14. Funding Source – Fire Department Vehicle Purchases

(a) That as referred to in Section 3 of the NINTH Report for 1999 of the Finance and Administration Committee approved by City Council on May 11, 1999, the interim funding in the amount of $650,000 be made from the Capital Reserve for Motorized Equipment Replacement (00101) for the following:

Smeal Fire Apparatus Co. – P.O. increase	$ 50,000
Almonte Fire Trucks Ltd. – P.O. increase	$450,000
Rapid Response Vehicle acquisition	$150,000

(b) That the above noted reserve be repaid the $650,000 from the Fire Department operating budget through restructuring savings to be identified in the Fire Chief's forthcoming Business Plan.

15. 1998 Hamilton Fire Department Annual Report

That the 1998 Hamilton Fire Department Annual Report, which was circulated to members of City Council and is available from the Committee Secretary upon request, be received.

16. Repeal By-law 96-010 – Appointing Acting Treasurer; Repeal By-law 94-086 – Appointing a Collector; Appoint Acting Treasurers; Appoint Tax Collectors

That the Director of Legal Services be authorized and directed to prepare by-laws for presentation to City Council to:

(a) Repeal By-law 96-010 which appointed an Acting Treasurer; and,

(b) Repeal By-law 94-086, which appointed a Collector; and,

(c) Appoint Mr. T. A. Bradbury, Mr. R. P. Male and Mr. A. D. Tollis as Acting Treasurers in the absence of the Treasurer; and,

(d) Appoint Mr. T. A. Bradbury and the Treasurer as Tax Collectors.

17. 170 ½ MacNab Street North

(a) That the City of Hamilton advance a loan pursuant to the Municipal Act, Section 113, to Angelo Fiorentino of 170 ½ MacNab Street North in the principal amount of $25,000 (namely, the cost of the City's work carried out to have this property comply with the Property Standards By-law) upon the following terms:

(i) The borrower, Angelo Fiorentino, signs a Promissory Note and a collateral mortgage to the City on her residence to secure the said loan; and,

(ii) Interest rate at 0% per annum and payments of principal of $100 per month; and,

(iii) Calculated as of the date this amount was added to the realty tax roll, namely as of 1994 January; and,

(iv) Term of loan: the earlier of 15 years or the date this property is sold or transferred by the borrower or by her estate; and,

(v) Open for repayment at any time without notice or bonus; and,

(vi) That the loan be secured by a first mortgage shall be prepared and registered in a form satisfactory to the Corporate Counsel by the borrower's lawyer who shall certify title to the City subject to judgements in favour of Ontario Legal Aid in the approximate amount of $6,000, and a conditional sales contract of about $4,000; and,

(b) That once the said first mortgage is registered in favour of the City of Hamilton,

(i) The General Manager, Finance be authorized to remove from the Realty Tax Roll of this property the $25,000 Work Order and the interest added to the tax roll attributable to the City's Work Order; and,

(ii) The City's Notice of Lien registered on December 31, 1993 as Instrument VM173088 in respect of the Work Order, be discharged; and,

(c) That the borrower's lawyer provide the City of Hamilton with their Certificate of Independent Legal Advice to the borrower, including in particular that the borrower understands in her language the changes recommended above; and,

If the property owner is not able to afford independent legal advice, then an additional recommendation may have to be included:

(d) That the borrower's legal fees and costs in an amount not exceeding $1,000 be paid by the City of Hamilton and added to the first mortgage amount of $25,000.

18. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) D-17 A By-law to appoint a Temporary Acting Clerk for the Corporation of the City of Hamilton.

(b) D-18 A By-law to authorize the temporary borrowing of monies to meet current expenditures pending receipt of current revenues.

(c) D-19 A By-law to Appoint Acting Treasurers.

(d) D-20 A By-law to Appoint a Collector.

(e) D-21 A By-law to authorize Extension Agreements for payment of realty tax arrears.

(f) D-22 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN D. WILSON
CHAIRMAN
FINANCE AND ADMINISTRATION
COMMITTEE

Susan K. Reeder
Secretary
June 15, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

Appendix "A" as referred to In Section 13 of the Eleventh Report for 1999 of the Finance And Administration Committee

1) PROPERTY ADDRESS	000 BURLINGTON ST. E.
SERIAL NUMBER	03 02720 2500
REDEMPTION DATE	JUNE 18, 1999
2) PROPERTY ADDRESS	249 HESS ST. N.
SERIAL NUMBER	02 01250 3490
REDEMPTION DATE	JUNE 18, 1999
3) PROPERTY ADDRESS	315 BEACH BLVD.
SERIAL NUMBER	05 05140 2260
REDEMPTION DATE	JUNE 18, 1999
4) PROPERTY ADDRESS	123 PRINCESS ST.
SERIAL NUMBER	03 02660 3975
REDEMPTION DATE	JUNE 18, 1999
5) PROPERTY ADDRESS	70 COVINGTON ST.
SERIAL NUMBER	05 04810 6390
REDEMPTION DATE	JUNE 18, 1998
6) PROPERTY ADDRESS	938 BURLINGTON ST. E.
SERIAL NUMBER	03 02720 1370
REDEMPTION DATE	JUNE 18, 1998
7) PROPERTY ADDRESS	350 WENTWORTH ST. N.
SERIAL NUMBER	03 02230 3100
REDEMPTION DATE	JULY 6, 1999
8) PROPERTY ADDRESS	1555 MAIN ST. W.
SERIAL NUMBER	01 00420 8390
REDEMPTION DATE	JULY 14, 1999
9) PROPERTY ADDRESS	66 STANLOW CRES.
SERIAL NUMBER	08 10310 4770
REDEMPTION DATE	JULY 14, 1998
10) PROPERTY ADDRESS	432 MAIN ST. E. #103
SERIAL NUMBER	03 02030 6063
REDEMPTION DATE	JULY 14, 1999
11) PROPERTY ADDRESS	46 KENILWORTH AVE. N.
SERIAL NUMBER	04 03310 2170
REDEMPTION DATE	JULY 14, 1999
12) PROPERTY ADDRESS	11 DEREK DR.
SERIAL NUMBER	05 05210 6604
REDEMPTION DATE	JULY 14, 1999
13) PROPERTY ADDRESS	83 KENILWORTH AVE. N.
SERIAL NUMBER	04 03420 1030
REDEMPTION DATE	JULY 14, 1999
14) PROPERTY ADDRESS	55 SANFORD AVE. S.
SERIAL NUMBER	03 02315 1280
REDEMPTION DATE	NOVEMBER 26 1999
15) PROPERTY ADDRESS	208 KENILWORTH AVE. N.
SERIAL NUMBER	04 03310 1360
REDEMPTION DATE	JULY 17, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16) PROPERTY ADDRESS	219 OTTAWA ST. N.
SERIAL NUMBER	04 02850 0310
REDEMPTION DATE	JULY 17, 1999
17) PROPERTY ADDRESS	727 BARTON ST. E.
SERIAL NUMBER	03 02655 2120
REDEMPTION DATE	JULY 17, 1999
18) PROPERTY ADDRESS	175 DUFFERIN ST.
SERIAL NUMBER	01 00610 3300
REDEMPTION DATE	JULY 17, 1999
19) PROPERTY ADDRESS	175 CLINE AVE. N.
SERIAL NUMBER	01 00520 6590
REDEMPTION DATE	JULY 17, 1999
20) PROPERTY ADDRESS	34 ST. MATTHEWS AVE.
SERIAL NUMBER	03 02175 7360
REDEMPTION DATE	JULY 20 ,1999
21) PROPERTY ADDRESS	729 BARTON ST. E.
SERIAL NUMBER	03 02655 2090
REDEMPTION DATE	JULY 27, 1999
22) PROPERTY ADDRESS	1257 MAIN ST. E.
SERIAL NUMBER	04 03125 8000
REDEMPTION DATE	JULY 27, 1999
23) PROPERTY ADDRESS	1373 MAIN ST. E.
SERIAL NUMBER	04 03125 7250
REDEMPTION DATE	JULY 27, 1999
24) PROPERTY ADDRESS	111 JAMES ST. N.
SERIAL NUMBER	02 01240 2810
REDEMPTION DATE	JULY 27, 1999
25) PROPERTY ADDRESS	32 BARTON ST. E.
SERIAL NUMBER	02 01565 5610
REDEMPTION DATE	JULY 27, 1999
26) PROPERTY ADDRESS	49 AUGUSTA ST.
SERIAL NUMBER	02 01435 7590
REDEMPTION DATE	JULY 27, 1999
27) PROPERTY ADDRESS	569 RENNIE ST.
SERIAL NUMBER	05 04010 1530
REDEMPTION DATE	JULY 27, 1999
28) PROPERTY ADDRESS	220 NEBO RD.
SERIAL NUMBER	06 07210 6160
REDEMPTION DATE	AUGUST 7, 1999
29) PROPERTY ADDRESS	130 STAPLETON AVE.
SERIAL NUMBER	04 03230 2730
REDEMPTION DATE	AUGUST 13, 1999
30) PROPERTY ADDRESS	72 MEGNA CRT.
SERIAL NUMBER	08 10630 2156
REDEMPTION DATE	AUGUST 13, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31) PROPERTY ADDRESS	32 BRITANNIA AVE.
SERIAL NUMBER	04 03135 2380
REDEMPTION DATE	AUGUST 13, 1999
32) PROPERTY ADDRESS	135 KENILWORTH AVE. N.
SERIAL NUMBER	04 03130 8880
REDEMPTION DATE	NOVEMBER 26, 1999
33) PROPERTY ADDRESS	638 UPPER WENTWORTH ST.
SERIAL NUMBER	07 08240 9020
REDEMPTION DATE	AUGUST 13, 1999
34) PROPERTY ADDRESS	11 ELLIS AVE.
SERIAL NUMBER	04 03140 5350
REDEMPTION DATE	AUGUST 13, 1999
35) PROPERTY ADDRESS	28 NORFOLK ST. N.
SERIAL NUMBER	01 00320 4040
REDEMPTION DATE	AUGUST 14, 1999

LICENSING COMMITTEE

June 29, 1999

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **FIFTH** Report for 1999 and respectfully recommends:

1. Taxi Cab Driver Licence – Wasim Ahmad Khan

That the Taxi Cab Driver Licence of Wasim Ahmad Khan be suspended until Mr. Khan obtains a Class G Licence issued under the Highway Traffic Act.

2. Taxi Cab Driver Licence – Rajiv Bakshi

That the Taxi Cab Driver Licence of Rajiv Bakshi be suspended until Mr. Bakshi obtains a Class G Licence issued under the Highway Traffic Act.

3. Taxi Cab Driver Licence - Saied Belal

That the Taxi Cab Driver Licence of Saied Belal be suspended until Mr. Belal obtains a Class G Licence issued under the Highway Traffic Act.

4. Taxi Cab Driver Licence – Ameen Khan

That the Taxi Cab Driver Licence of Ameen Khan be granted subject to Mr. Khan submitting an updated driving abstract to the Issuer of Licences on December 9, 1999.

5. Tow Truck Driver Licence – Michael Horvath

That the Tow Truck Driver Licence of Michael Horvath be granted subject to Mr. Horvath submitting an updated criminal record to the Issuer of Licences on December 9, 1999.

6. Restaurant and Billiards Licences

That the Restaurant and Billiard Licences of Mary Kubiak Vandalen at 193 King Street East be revoked.

Confidential background information provided to members of City Council under separate cover.

Respectfully Submitted,

ALDERMAN F. EISENBERGER, CHAIRMAN
CITY OF HAMILTON LICENSING COMMITTEE

Stella Glover, Secretary
June 9, 1999

NOTICE OF MOTION FROM PREVIOUS MEETING

NOTICE OF MOTION

May 25, 1999

MOVED BY: .....

SECONDED BY: .....

That the City of Hamilton, as a millenium project, plant 1,000 trees over the next ten (10) years; and

That the increase of our urban forest be dedicated in an appropriate manner to honour Hamiltonians.

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

TUESDAY, JUNE 29, 1999
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL

BILLS

Bill No. A- 23

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

TO STOP UP, CLOSE AND SELL A PORTION OF THE ALLEY ON REGISTERED PLAN 272, LYING BETWEEN GLENFERN AVENUE & AMELIA STREET, DESIGNATED AS PARTS 1 TO 9, 14 & 15, ON PLAN 62R-14134,

AND

TO SELL OF A PORTION OF THE CLOSED ALLEY ON REGISTERED PLAN 275, LYING BETWEENLOTS 34 & 35, REGISTERED PLAN 275, DESIGNATED AS PART 11, ON PLAN 62R-14134

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of the Municipal Act, Revised Statues of Ontario, 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the Corporation of the City of Hamilton, in adopting Item 1 of the 16th Report of the Transport and Environment Committee on 1996 December 10, authorized that steps be commenced,

a) pursuant to the Municipal Act for the closure and sale by by-law of that portion of the assumed Alley on Registered Plan 272, lying between Glenfern Avenue and Amelia Street, now designated as Parts 1 to 9, 14 & 15, on Plan 62R-14134; and,
b) pursuant to the Registry Act for a Judge's Order to close that portion of the unassumed Alley on Registered Plan 275, designated as Part 11, 62R-14134 and, pursuant to the Municipal Act, to enact a by-law to authorize the sale of the said portion of the Alley closed by Judge's Order;

AND WHEREAS a Judge's Order was issued and registered as instrument number LT 530771 to close the portion of the unassumed Alley on Registered Plan 275 designated as Part 11, 62R-14134;

AND WHEREAS the said Alleys are highways under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS notice of the City's intention to pass this By-law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) That the portion of the Alley on Registered Plan 272 described as,

part of the Alley lying between Glenfern Avenue and Amelia Street, established by Registered Plan 272, and designated as Parts 1 to 9, 14 & 15, on Plan 62R-14134, in the City of Hamilton
Regional Municipality of Hamilton-Wentworth

is hereby stopped up and closed.

(b) That the soil and freehold in the said portion of the closed highway be disposed of as follows:

(i) that a Sewer Easement in that portion of the closed highway designated as Parts 1 to 9, 14 and 15 on Plan 62R-14134 is granted to The Regional Municipality of Hamilton-Wentworth;

(ii) that a Bell Easement in that portion of the closed highway designated as Parts 1 to 9, 14 and 15 on Plan 62R-14134 is granted to The Bell Canada;

(iii) that, subject to the said Sewer & Bell Easements, that portion of the closed highway designated as Part 1 on Plan 62R-14134 be sold to R. Pudritz and P. Monger (abutting owners), or to their successors in title, for the sum of $2.00, in accordance with the provisions of their Offer to Purchase dated April 6th, 1999,

(iv) that, subject to the said Sewer & Bell Easements, that portion of the closed highway designated as Parts 3, 4 and 14, on Plan 62R-14134 be sold to Robert & Margaret Botts (abutting owners), or to their successors in title, for the sum of $2.00, in accordance with the provisions of their Offer to Purchase dated May 7th, 1999,

(v) that, subject to the said Sewer & Bell Easements, that portion of the closed highway designated as Parts 2, 5, 6, 7, 8, 9 and 15, on Plan 62R-14134 be authorized for sale in accordance with the requirements of the Municipal Act to the respective owners abutting each portion of the closed Alley for the price of $2.00 per parcel.

(vi) that in the event the abutting owners or any of them, do not exercise their right to make an Offer to Purchase the said abutting closed portions of the Alley within 45 days of the passing of this By-Law, then,

(aa) that portion of the closed highway designated as Part 2, 62R-14134 be sold, subject to the said Sewer & Bell Easements, to R. Pudritz and P. Monger in accordance with their Offer to Purchase dated 1999 April 6; and,

(bb) that portion of the closed highway designated as Parts 8 and 15, 62R-14134 be sold, subject to the said Sewer & Bell Easements, to Robert & Margaret Botts in accordance with their Offer to Purchase dated 1999 May 7th; and,

(cc) those portions of the closed highway designated as Parts 5, 6, 7 and 9, on Plan 62R-14134, subject to the said Sewer & Bell Easements, be offered and sold to non abutting owners for the same price.

2. That the soil and freehold in the portion of the Alley established by Registered Plan 275 and closed by the said registered Judge's Order, described as,

that part of the Alley established by Registered Plan 275 lying between Lot 34 and Lot 35, Registered Plan designated as Part 11, on Reference Plan 62R-14134, and closed by Judge's Order registered as Instrument number LT 530771,

be disposed of by sale for a sum of $2.00 to the abutting owners R. Pudritz and P. Monger in accordance with their Offer to Purchase dated 1999 April 6.

3. That this By-law shall come into force and effect on the date of its registration in the Land Registry Office for the Registry Division of Wentworth.

Passed this 29th day of June A.D. 1999

Municipal Clerk Mayor

Bill No. A-24

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

TO STOP UP, CLOSE AND SELL A PORTION OF THE PUBLIC WALKWAY DESIGNATED AS BLOCK B, ON PLAN M-127 LYING BETWEEN FORESTGATE DRIVE AND WENDOVER DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of the Municipal Act, Revised Statues of Ontario, 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the Corporation of the City of Hamilton, in adopting Item 4 of the 9th Report of the Planning & Development Committee on 1999 April 13, authorized that steps be commenced, pursuant to the Municipal Act for the closure and sale by by-law of that portion of the public walkway, lying between Forestgate Drive and Wendover Drive, designated as Block B, on Plan M-127;

AND WHEREAS the said public walkway is a highway under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS notice of the City's intention to pass this By-law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) That the portion of the public walkway described as Block B, Plan M-127, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, is hereby stopped-up and closed.

   (b) That the soil and freehold in the said portion of the closed highway be disposed of, in the following manner:

      (i) that portion of the closed public walkway be authorized for sale in accordance with the requirements of the Municipal Act for the price of $2.00 to the respective owners abutting each portion of the closed public walkway.

      (ii) that in the event the abutting owners or any of them, do not exercise their right to make an Offer to Purchase the said abutting closed portions of the public walkway within 45 days of the passing of this By-Law, then those portions of the closed public walkway be offered and sold to non abutting owners for the same price.

2. That this By-law shall come into force and effect on the date of its registration in the Land Registry Office for the Registry Division of Wentworth.

Passed this 29th day of June A.D. 1999

Municipal Clerk Mayor

Bill No. A-27

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

BEING A BY-LAW TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That By-law 89-72, as amended, is hereby further amended by repealing Section 40(q) thereof, and by substituting therefor the following section:-

   "40(q) at any school bus loading zone listed in schedule 31 provided suitable signs are erected and maintained, save and except:

   (i) any school bus while being loaded or unloaded for a period of time no longer than is reasonably necessary for such purpose; and,

   (ii) any taxicab while engaged in loading or unloading passengers, provided that suitable signs exempting taxicabs have been erected and are maintained;"

2. That **Schedule 24 (Parking Meter Locations)** of By-law 89-72, as amended, is hereby further amended by adding to **Section 2(b)** thereof, (Two Hour Limit - one dollar per hour), the following items, namely:-

"Vine	North	James to MacNab
Vine	South	James to Park"

and by deleting from **Section 3(b)** thereof, (One Hour Limit - one dollar per hour), the following items, namely:-

"Vine	North	MacNab to James
Vine	South	Park to James"

3. That **Schedule 25 (Parking Time Limits)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Cathcart	East	Wilson to Kelly	1hr	8am - 8am (24 hrs)	Mon - Sun
Dunsmure	North	Sherman to 70 feet westerly	2hr	8am - 8am (24 hrs)	Mon - Sat
West 3rd	Both	Monarch to Wembley	1hr	8am - 8am (24 hrs)	Mon - Sun"

4. That **Schedule 26 (No Parking Areas)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Locke	West	commencing at Canada and extending 53 feet southerly therefrom		Anytime
Crerar	West	Rockview to northerly end		Anytime
Hughson	East	commencing 53 feet south of Murray and extending 21 feet southerly therefrom	8am - 5pm	Mon - Fri
Bay	West	commencing at the extended north curb line of Burlington and extending 92 feet southerly therefrom		Anytime
East 25th	West	commencing 25 feet south of Concession and extending 25 feet southerly therefrom		Anytime"

and by deleting therefrom the following items, namely:-

"Locke	West	commencing at a point 42 feet south of Canada to a point 22 feet southerly		Anytime
Inverness	South	Upper Wellington to 148 feet west	7am - 6pm	Mon - Sat
Bay	West	North street line of Burlington to 130 ft. south		Anytime
West 3rd	East	Monarch to Wembley		Anytime"

5. That **Schedule 26(A) (Loading Zones)** of By-law 89-72, as amended is hereby further amended by adding thereto the following item, namely:-

"Inverness	South	148 feet	Upper Wentworth	7:00 a.m. - 6:00 p.m" Monday to Saturday

6. That **Schedule 27 (Alternate Side Parking)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Crerar Drive south curb line of Pescara Avenue to south curb line of Rockview Avenue	West	East

Brucedale Avenue Sherwood Rise to High Street	North	South
West 3rd Street Fennell Avenue to Wembley Road	East	West"

and by deleting therefrom the following items, namely:-

"Crerar South curb line of Pescara to north end	West	East
Westbourne Road Main Street to Sanders Boulevard	East	West
Brucedale Avenue Sherwood Rise to High Street	South	North
West 3rd Fennell to Monarch	East	West"

7. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby amended by adding thereto the following items, namely:-

"Charlton	North	commencing 416 feet west of Dundurn and extending 20 feet westerly therefrom	Anytime
Catharine	West	commencing 42 feet south of Murray and extending 38 feet southerly therefrom	Anytime
Melvin	South	commencing 25 feet west of Glennie and extending 25 feet westerly therefrom	Anytime
Mars	South	commencing 111 feet west of Cheever and extending 18 feet westerly therefrom	Anytime"

and by deleting therefrom the following items, namely:-

"Catharine	West	commencing 63 feet south of Murray and extending 18 feet southerly therefrom	Anytime
Strachan	South	commencing 62 feet east of MacNab and extending 20 feet easterly therefrom	Anytime
Fullerton	East	from a point 212 feet south of Princess to a point 25 feet southerly therefrom	Anytime
Paling	East	commencing 603 feet south of Barton and extending 27 feet southerly therefrom	Anytime
Inverness	North	commencing at a point 60 feet east of East 19th to a point 24 feet easterly therefrom	Anytime
Cope	East	commencing 40 feet south of Barton and extending 19 feet southerly therefrom	Anytime
West 3rd	West	Monarch to Wembley	Anytime"

8. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

9. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 29th day of June 1999.

MUNICIPAL CLERK MAYOR

Bill No. A-28

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

BEING A BY-LAW TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That Schedule 10 (Stops At Intersections) of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Appleblossom	Westbound	Brigadoon
Larch	Eastbound and Westbound	Currie
Gagliano	Eastbound	Eaglewood
Bow Valley	Northbound	Bow Valley/Highridge
Templemead	Eastbound and Westbound	Mount Pleasant"

2. That **Schedule 28 (Taxi Stands)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Glen Echo	West	102 feet	106 feet north of of the north curb line of the south leg of Loyalist	7:00 a.m. - 6:00 p.m. Monday to Saturday"

3. That **Schedule 29 (No Stopping Areas)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Robert	North	commencing 72 feet east of East and extending 80 feet easterly therefrom	Anytime

Rexford	East	commencing 20 feet north of Atherley and extending 172 feet northerly therefrom	7 am - 6 pm	Mon - Sat
Churchhill	South	Prince George to the easterly end	8 am - 5 pm	Mon - Fri
Prince George	East	Churchhill to a point 120 feet southerly	7 am - 6 pm	Mon - Sat
Golfwood	East	from the extended south curb line of Atkins to 103 feet northerly	8 am - 5 pm	Mon - Fri"

and by deleting therefrom the following item, namely:-

"East 25th	West	Concession to 50 feet south	Anytime"

4. That **Schedule 31 (School Bus Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Queensdale	North	50 feet	commencing 203 feet east of Prince George	7:00 a.m. - 6:00 p.m." Monday to Saturday

and by deleting therefrom the following items, namely:

"Queensdale	North	50 feet	commencing 173 feet east of Prince George	7:00 a.m. - 6:00 p.m. Monday to Saturday
Glen Echo	West	102 feet	commencing 106 feet north of the north curb line of the south leg of Loyalist	7:00 a.m. - 6:00 p.m." Monday - Saturday

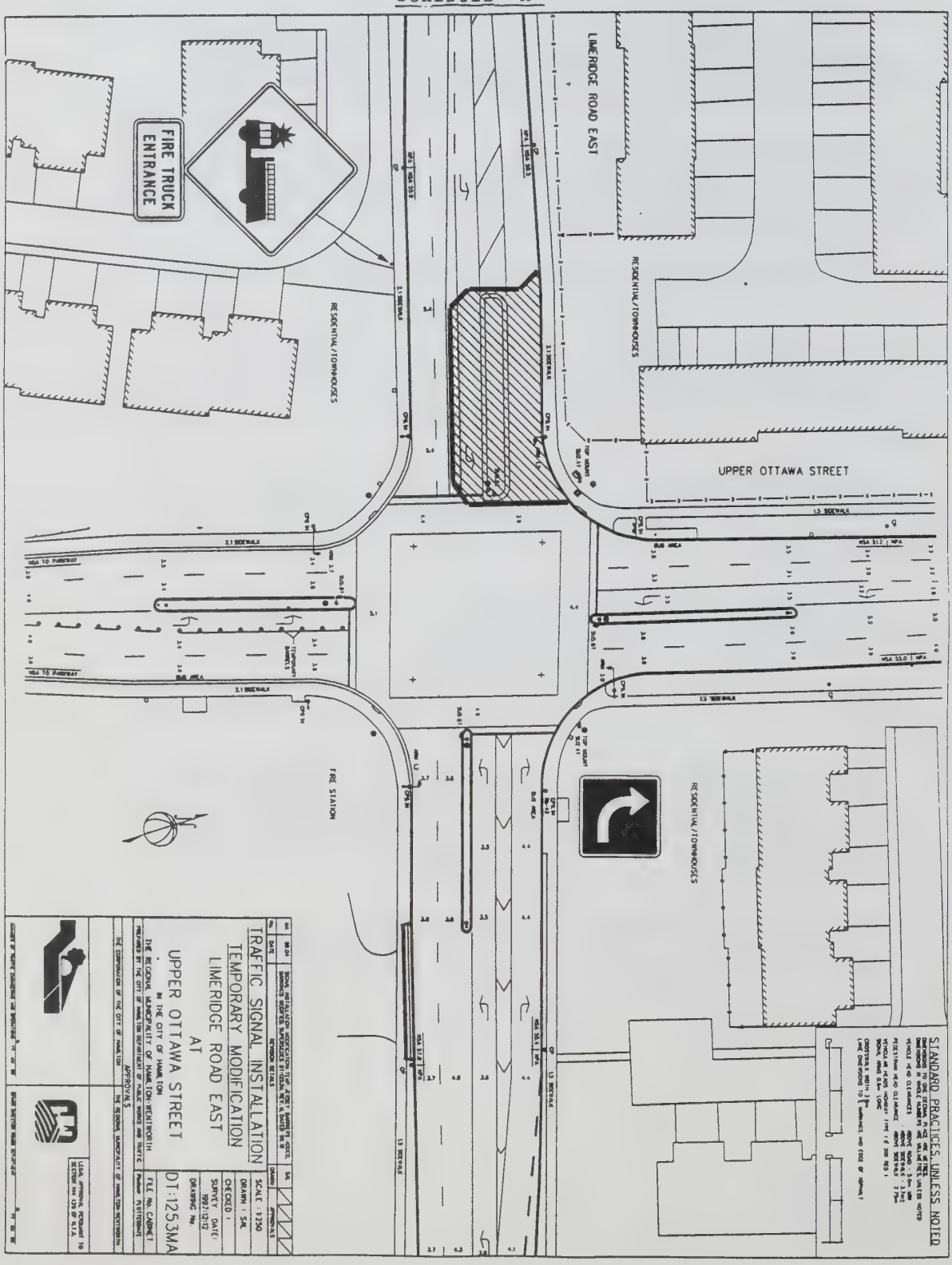
5. That **Schedule 35 (Wheelchair Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Queensdale	North	30 feet	173 feet east of Prince George	7:00 a.m. - 6:00 p.m. Monday to Saturday
Cope	East	19 feet	40 feet south of Barton	Anytime
Donnici	South	22 feet	144 feet east of Filice	Anytime"

and by deleting therefrom the following item, namely:-

"William	East	12 feet	422 feet north of Barton	Anytime"

SCHEDULE "A"


FIRE TRUCK ENTRANCE
LIMERIDGE ROAD EAST
UPPER OTTAWA STREET
RESIDENTIAL/TOWNHOUSES
FIRE STATION
STANDARD PRACTICES UNLESS NOTED
TRAFFIC SIGNAL INSTALLATION
TEMPORARY MODIFICATION
LIMERIDGE ROAD EAST
AT
UPPER OTTAWA STREET
IN THE CITY OF HAMILTON
THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
PREPARED BY THE CITY OF HAMILTON DEPARTMENT OF PUBLIC WORKS AND TRAFFIC
APPROVALS
THE CORPORATION OF THE CITY OF HAMILTON
THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE : 1:250
DRAWN : SK
CHECKED :
SURVEY DATE: 1997/12/12
DRAWING No:
FILE No: CADPROJ
DT:1253MA

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT
MUNICIPAL NOS. 803, 819, 823, 865 and 871 WEST 5th STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District those lands comprised in Block "1"; and

(b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, those lands comprised in Block "2"; and

(c) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District modified, those lands comprised in Block "3"; and

(d) by changing from "AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District modified, those lands comprised in Block "4"; and

(e) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, those lands comprised in Block "5",

the extent and boundaries of each of which Blocks "1", "2", "3", "4" and "5" are shown on a plan hereto annexed as Schedule "A".

2. The Freeway Standards regulations, as contained in Section 6 of Zoning By-law No. 6593, applicable to the lands referred to in Section 1(b), (c) and (d) are amended to the extent only of the special requirement that,

(a) notwithstanding Section 6.(19)(a) of Zoning By-law No. 6593, no residential structure shall be located closer than 12.5 metres from the Mountain Freeway right-of-way.

3. (a) The 'H' symbol applicable to the lands comprised in Block "4" and Block "5" shall be removed conditional upon the availability of all such municipal sewers servicing the subject lands as the City deems necessary.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the land referred to in Section 1 may at such time proceed in accordance with the "C" District provisions, subject to the special requirement referred to in Section 2 of this by-law.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Freeway Standards regulations, subject to the special requirement referred to in Section 2.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1424.

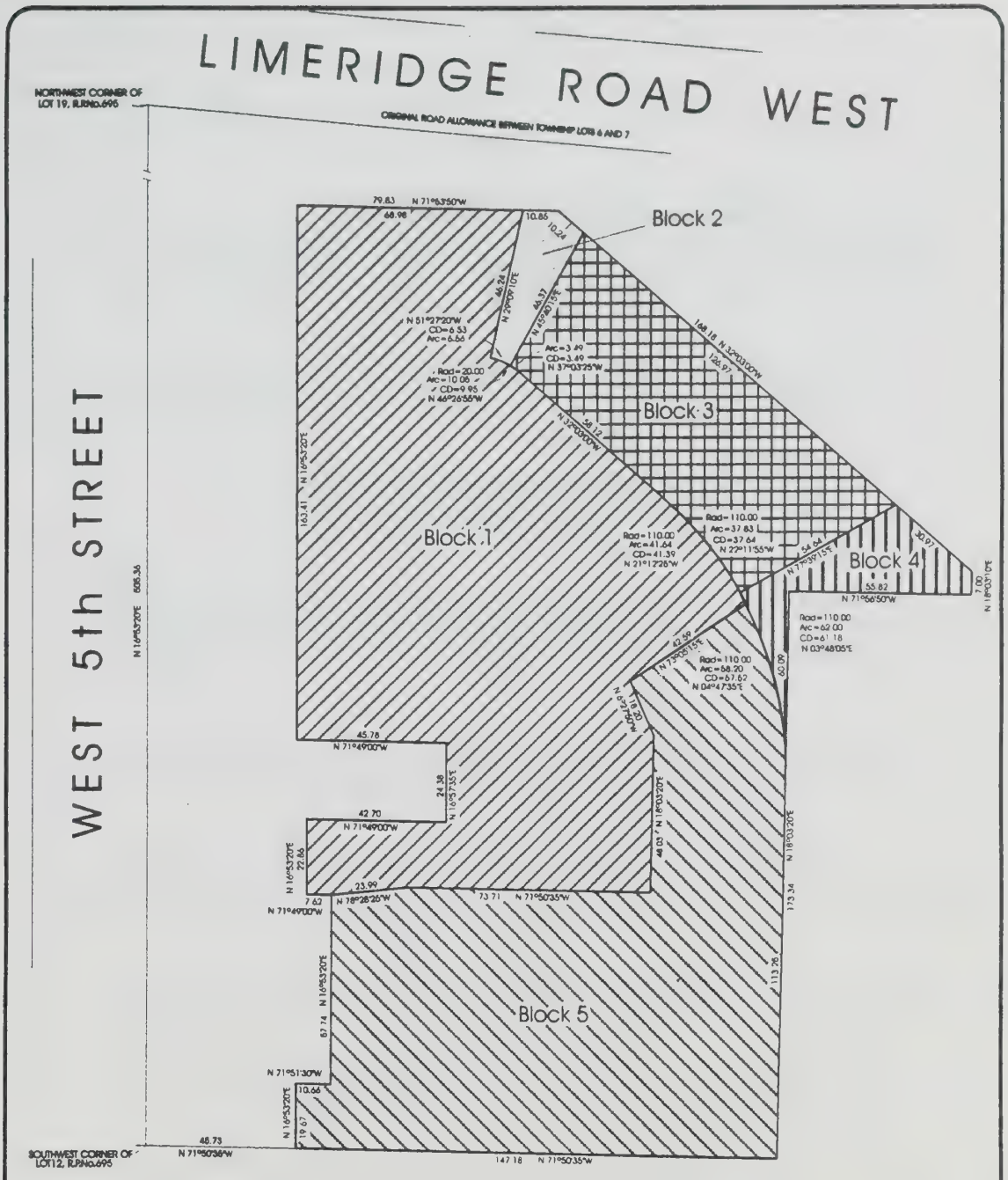
6. Sheet No. W-9B of the District Maps is amended by marking the lands referred to in Section 1 of this by-law, S-1424.

7. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 29th day of June A.D. 1999

MUNICIPAL CLERK MAYOR

(1999) 4 R.P.D.C. 2.B., February 23
1125814 Ontario Inc. (Silvestri Investments),
Prospective Owner
Amended ZAC-98-29



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. .....
Passed the ..... day of ..... , 1999.

..... Clerk

..... Mayor

City of Hamilton

Schedule A

Map Forming Part of By-Law No. .....

Community Planning and Development Division

Legend

Change in zoning from:

Block 1	"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,
Block 2	"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified,
Block 3	"AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, modified
Block 4	"AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District
Block 5	"AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District

North	Scale	Reference File No.
	Not to Scale	ZA-98-29
	Date: June 1999	Drawn By: D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE NORTHEAST CORNER OF REXFORD DRIVE AND ROBERTSFIELD DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-38C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "**AA**" (Agricultural) District to "**R-4**" (Small Lot Single Family Dwelling) District, the land comprised in Block "1"; and,

(b) by changing from "**AA**" (Agricultural) District to "**R-4**" – '**H**' (Small Lot Single Family Dwelling - Holding) District, the land comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the land comprised in Block "2" shall be removed conditional upon,

(i) the owner acquiring the parcel of land shown as Block 26 on Plan 62M-454 and merging it in title with Block "2"; and,

(ii) the owner paying all outstanding land, servicing, roadway costs to the City of Hamilton and the Region of Hamilton-Wentworth, prior to lifting the 0.30 m reserve adjacent to Robertsfield Drive and that the owner be responsible for preparing the required Reference Plan to lift the 0.30 m reserve.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Block "2" may at such time proceed in accordance with the "R-4" District provisions.

3. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 29th day of June A.D. 1999

MUNICIPAL CLERK MAYOR

(1999) 10 R.P.D.C. 1, April 27
1272689 Ontario Ltd.,
Alwilayad Islamic Association, Owner
(c/o Hussein Ghaddar)
ZAC-99-05

Bill No. C-35

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 98-210

Respecting:

LANDS LOCATED AT
MUNICIPAL NOS. 1062 AND 1088 UPPER PARADISE ROAD

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-210 on the 5th day of August 1998 to change the zoning and to establish a special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the lands located at Municipal Nos. 1016, 1062 and 1088 Upper Paradise Road, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 12th Report of the Planning and Development Committee at its meeting held on the 25th day of May 1999, recommended that Zoning By-law No. 6593, as amended by By-law No. 98-210, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 7 of Zoning By-law No. 98-210 is hereby repealed in its entirety and the following substituted therefor:

"The "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks "4" and "5", referred to in sections 1.(a) and (b), are amended to the extent only of the following special requirements that,

(a) for a dwelling with a detached garage, the following provisions shall apply:

(i) notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, the following shall apply:

1. a front yard depth of at least 4.5 metres to the main wall of the dwelling shall be provided and maintained; and,

(ii) every roofed-over and unenclosed front porch shall have a minimum width of 3.0 metres and a minimum depth of 2.0 metres for every single family dwelling and two family dwelling; and,

(iii) notwithstanding Section 18.(3)(vi)(d) of Zoning By-law No. 6593, a roofed-over porch shall be setback at least 2.0 metres to the porch and 1.0 metre to the porch steps from the front lot line; and,

(iv) notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a single family dwelling one side yard of at least 0.9 metre and one side yard of at least 2.8 metres shall be provided and maintained; and,

(v) notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a two family dwelling a side yard of at least 2.8 metres shall be provided and maintained; and,

(vi) in addition to the requirements of Section 18A. of Zoning By-law No. 6593, a T-shaped manoeuvring area shall be provided and maintained in the rear yard for each single family dwelling; and,

(vii) at least one required parking space shall be provided and maintained in a detached garage, for every single family dwelling and for every dwelling unit of a two family dwelling; and,

(viii) notwithstanding Section 18.(4) of Zoning By-law No. 6593, a swimming pool shall not be permitted; and,

(b) for a dwelling with an attached garage, then the following provisions shall apply:

(i) notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, the following shall apply:

1. a front yard having a depth of not less than 4.5 metres to the main wall of the dwelling shall be provided and maintained; and,

2. a front yard having a depth of not less than 6.0 metres to the garage or carport shall be provided and maintained; and,

(ii) every roofed-over and unenclosed front porch shall have a minimum width of 3.0 metres and a minimum depth of 2.0 metres for every single family dwelling and two family dwelling; and,

(iii) notwithstanding Section 18.(3)(vi)(d) of Zoning By-law No. 6593, a roofed-over porch shall be setback at least 2.0 metres to the porch and 1.0 metre to the porch steps from the front lot line; and,

(iv) notwithstanding Section 18.(4) of Zoning By-law No. 6593, a swimming pool shall not be permitted."

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in By-law No. 98-210, as amended by section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1405b.

4. Sheet No. W-37D of the District Maps is amended by marking the lands comprised in Blocks "4" and "5", referred to in section 1.(a) and 1.(b) of By-law No. 98-210, and further amended by section 1 of this by-law, S-1405b.

5. In all other respects, By-law No. 98-210, is hereby confirmed, unchanged.

6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 29th day of June A.D. 1999

MUNICIPAL CLERK MAYOR

(1999 12R.P.D.C. 1 May 25
Visplar Holdings Limited (E. LeBerge), Owner
ZAC-99-08

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Establish a Tariff of Planning Fees
And to Repeal By-laws No. 97-084 and 98-284

Respecting:

TARIFF OF PLANNING FEES

WHEREAS Section 69 of the Planning Act, R.S.O. 1990, Chapter P.13 authorizes municipalities to enact a by-law to prescribe a tariff of fees for the processing of applications made in respect of planning matters;

AND WHEREAS By-law No. 97-084, enacted on April 29, 1997, established a Tariff of Planning Fees;

AND WHEREAS the said Tariff of Fees prescribed in By-law No. 97-084 were amended by By-law No. 98-284, enacted on November 10, 1998;

AND WHEREAS the Tariff of Fees have been adjusted in accordance with the Consumer Price Index for Toronto as of November 11, 1998 pursuant to Section 5 of By-law No. 97-084;

AND WHEREAS Section 220.1 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes municipalities to enact by-laws to impose fees on any class of person for services or activities provided on behalf of, or done by, the municipality;

AND WHEREAS further revisions to the said Tariff of Fees were authorized by the Council of The Corporation of the City of Hamilton, on May 18, 1999, in adopting Section 2 of the 2nd Report of the Joint City/Region Budget Steering Committee;

AND WHEREAS to implement the revised Tariff of Planning Fees it is expedient to repeal prior By-law No. 97-084, as amended, and to adopt the revised Tariff of Fees set out in the Schedule "A" annexed to this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Tariff of Planning Fees in Schedule "A" annexed hereto and forming part of this by-law are hereby approved and adopted.

2. The fees shall be paid at the time of and with the making of an application referred to in Schedule "A".

3. No application shall be deemed to have been made, and no application shall be received, unless the fee is paid in accordance with this by-law.

4. The amounts of the fees in Schedule "A" of this by-law shall be adjusted annually by the percentage change during the preceding year of the Consumer Price Index for Toronto, and the resulting figures shall be rounded off to the nearest five dollar interval.

5. By-law No. 97-084, as amended by By-law No. 98-284, is hereby repealed in its entirety and replaced with this by-law.

6. This by-law comes into force on the 1st day of July 1999.

PASSED this day of A.D. 1999

MUNICIPAL CLERK MAYOR

(1999) 2nd Report Joint City/Region
Budget Steering Committee 2, May 18

SCHEDULE "A"

To By-law No. 99-

TARIFF OF PLANNING FEES

(1) Application to Council by any person to initiate an amendment to the Official Plan under Section 17

(i) Phase 1 – Services up to the City Council Report.....$1,950.00

(ii) Phase 2 – Services subsequent to the Council resolution approving the application.....$1,925.00

(2) Application to Council by any person to initiate a Zoning By-law under Section 34(1) of the Planning Act

(i) A routine application.....$1,800.00

(ii) A complex application

(a) Phase 1 – Services up to the City Council Report.....$2,250.00

(b) Phase 2 – Services subsequent to the Council Resolution approving the application.....$1,200.00

(3) Application by any person to initiate an application for the purpose of,

(i) site plan control under Section 41.....$3,000.00

(ii) revision to site plan control under Section 41.....$1,100.00

(iii) preliminary preview of a site plan.....$1,100.00

(iv) processing a request for site plan approval exemption..... $ 300.00

(4) Application for the approval of a Plan of Subdivision under Section 51 of the Planning Act,

(i) Simple – where no other approvals are required.....$ 570.00

(ii) Complex – where the Official Plan or Neighbourhood Plan or other approvals are required $1,020.00

(5) Application for the approval of a Plan of Condominium,

(i) for a newly constructed building, where The Regional Municipality of Hamilton-Wentworth approves the plan.....$ 570.00

(ii) for a building being converted to a condominium, to be approved by the City of Hamilton, a base fee of.....$2,070.00
Plus $40.00 per unit to a maximum of 40 units ($1,600.00)

(6) Application for a revision to a Plan of Subdivision or a Plan of Condominium.....$ 360.00

(7) Application for an extension of an approved draft Plan of Subdivision or Plan of Condominium.....$ 185.00

(8) (i) Application for an exemption of part lot control under Section 50(7) of the Planning Act.....$ 510.00

(ii) Application for an extension of Part Lot Control By-law.....$ 255.00

(9) Property reports with respect to the Official Plan, zoning status, Rental Housing Protection Act, and Heritage Designation compliance.....$ 85.00

(10) Request by the applicant or agent of an Official Plan Amendment or Re-zoning application to cancel a public meeting, per public notice recirculation.....$ 260.00

(11) Request for a street name change.....$4,220.00

(12) Request for the preparation of a Neighbourhood Plan and modified Neighbourhood Plan.....$1,140.00

(13) Request for municipal street numbers.....$ 85.00

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

TO APPOINT A TEMPORARY ACTING CLERK
FOR THE CORPORATION OF THE CITY OF HAMILTON

WHEREAS subsection 73(3) of the Municipal Act, R.S.O. 1990, c. M. 45, as amended, provides that Council may appoint a Temporary Acting Clerk when the office of Clerk is vacant or the Clerk is unable to carry on his duties through illness or otherwise;

AND WHEREAS it is advisable to appoint persons to exercise the powers and duties of the Clerk of The Corporation of the City of Hamilton at such times as the Clerk is absent;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

1. Mr. Kevin C. Christenson is appointed as Temporary Acting Clerk in the absence of the Clerk, and shall have all the powers and duties of the Clerk, whenever the Clerk is unable to carry out his duties through illness or for other reasons.

2. Mr. Michael A. Rallo is appointed as Temporary Acting Clerk in the absence of the Clerk and of Mr. Kevin C. Christenson, and shall then have all the powers and duties of the Clerk, whenever the Clerk and Mr. Kevin C. Christenson are unable to carry out their duties through illness or for other reasons.

3. Mr. Darryl J. Lee is appointed as Temporary Acting Clerk in the absence of the Clerk, Mr. Kevin C. Christenson and Mr. Michael A. Rallo, and shall then have all the powers and duties of the Clerk, whenever the Clerk, Mr. Kevin C. Christenson and Mr. Michael A. Rallo are unable to carry out their duties through illness or for other reasons.

4. Notwithstanding paragraphs 1, 2 and 3 of this By-law, the Clerk may designate any one of the three named persons as Temporary Acting Clerk in the absence of the Clerk, and such person shall have all the powers and duties of the Clerk whenever the Clerk is unable to carry out his duties through illness or for other reasons.

5. By-Law No. 98-186 is repealed.

PASSED AND ENACTED this day of , 1999

Mayor

Municipal Clerk

Approved as to form
Legal Services

THE CORPORATION OF THE CITY OF HAMILTON
BY-LAW NO. 99-

To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues.

WHEREAS section 187(1) of the Municipal Act, R.S.O. 1990, as amended, provides as follows:

"A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking funds, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide";

AND WHEREAS Section 187(2) of the said Act, as amended by the Municipal Statute Law Amendment Act, S.O. 1992, c. 15 provides as follows:

"The amount that may be borrowed at any one time for the purposes mentioned in subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year";

AND WHEREAS the Council of the Corporation of the City of Hamilton passed and enacted By-law No. 98-309 on December 8, 1998 authorizing the temporary borrowing of monies to meet current budget expenditures for the year 1999 pending receipt of current revenues;

AND WHEREAS the Council of the Corporation of the City of Hamilton (hereinafter also called the "Corporation") deems it necessary to repeal By-law No. 98-309 and substitute the following therefor;

NOW THEREFORE the Council of the Corporation of the City of Hamilton hereby enacts as follows:

1. (1) The Corporation of the City of Hamilton is hereby authorized to borrow from a Bank or person by way of Promissory Notes or Bankers Acceptances from time to time a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the Corporation for the year 1999, including amounts for sinkng funds, principal and interest falling due within such fiscal year and the sums required by law to provide for the purposes of the Corporation.

(2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been

repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year.

2. (1) Until estimates of revenue of the Corporation for the 1999 year are adopted, borrowing shall be limited to the estimated revenues of the Corporation as set forth in estimates adopted for the next preceding year.

(2) the total estimated revenues of the Corporation, including the amounts levied for Region and Education purposes, adopted for the year 1998 are Five Hundred and Forty Million, Seven Hundred and Twenty Nine Thousand and Two Hundred and Ninety Dollars ($540,729,290.00).

3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are collected or received.

4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.

5. That the Mayor and failing such person, the Chairman of the Finance and Administrative Committee of the City Council and failing such person, the City Manager, together with the Treasurer or Temporary Acting Treasurer be authorized and directed to sign and execute the aforesaid Promissory Notes and Bankers Acceptances, hypothercations, agreements and such other documents, writings and papers which shall give effect to the foregoing.

6. By-law 98-309 is repealed.

7. This by-law shall come into force and effect on the 30th day of June, 1999, and shall remain in force and effect until December 31, 1999.

PASSED AND ENACTED THIS_____DAY OF _____1999

_____ _____

MAYOR CLERK

Approved
as to form
Legal
Services

The Corporation of the City of Hamilton

BY-LAW NO. 99-

An Acting Treasurer

WHEREAS Subsection 77(3) of the *Municipal Act* R.S.O. 1990, Chapter M.45, as amended, provides as follows:

> 77(3) When the office of Treasurer is vacant or the Treasurer is unable to carry on his or her duties through illness or otherwise, the Council may appoint a temporary Acting Treasurer who shall have all the powers and duties of the Treasurer under this and every other Act.

AND WHEREAS it is intended to provide for the continuance of the normal operations of the Finance Department and duties of the Treasurer during the absence of the Treasurer through illness or otherwise, including vacation:

NOW THEREFORE the Council of the Corporation of the City of Hamilton hereby enacts:

1. THAT Mr. R. P. Male be appointed as Temporary Acting Treasurer in the absence of the Treasurer, who shall have all the powers and duties of the Treasurer whenever the Treasurer is unable to carry out his duties through illness or other absence from the office.

2. THAT Mr. T. A. Bradbury be appointed as Temporary Acting Treasurer in the absence of the Treasurer and of Mr. R. P Male, who shall then have all the powers and duties of the Treasurer whenever the Treasurer and Mr. T. A. Bradbury are unable to carry out their duties through illness or other absence from the office.

3. THAT Mr. A. D. Tollis be appointed as Temporary Acting Treasurer in the absence of the Treasurer, Mr. R. P. Male and Mr. T. A. Bradbury, who shall then have all the powers and duties of the Treasurer whenever the Treasurer, Mr. R. P. Male and Mr. T. A. Bradbury are unable to carry out their duties through illness or other absence from the office.

4. THAT notwithstanding paragraphs 1, 2 and 3 of this by-law, the Treasurer may designate any one of the three named persons as Temporary Acting Treasurer in the absence of the Treasurer, who shall have all the powers and duties of the Treasurer whenever the Treasurer is unable to carry out his duties through illness or other absence from the office.

5. THAT By-law 96-010 be repealed.

6. THAT this by-law shall come into force and take effect on the date of its enactment.

PASSED AND ENACTED this day of , 1999.

MUNICIPAL CLERK MAYOR

Approved
as to form:
City Solicitor

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Appoint:

A COLLECTOR

WHEREAS Subsection 85(1) of the Municipal Act, R.S.O. 1990, Chapter M.45 provides as follows:

"85(1) The council of every municipality shall appoint as many collectors for the municipality as it considers necessary.";

AND WHEREAS it is intended to appoint more than one collector for the purpose of being available for administrative duties of this function.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Allan C. Ross, Treasurer, is hereby appointed and continues as a Collector for The Corporation of the City of Hamilton.

2. T. A. Bradbury, Director of Revenues, is hereby appointed a Collector for The Corporation of the City of Hamilton.

3. By-law 94-086 is hereby repealed.

PASSED this day of A.D.,1999.

MUNICIPAL CLERK **MAYOR**

Approved
as to form
Legal
Services

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.99-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1999, A.D.,

MUNICIPAL CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

1)	PROPERTY ADDRESS	000 BURLINGTON ST. E.
	SERIAL NUMBER	03 02720 2500
	REDEMPTION DATE	JUNE 18, 1999
2)	PROPERTY ADDRESS	249 HESS ST. N.
	SERIAL NUMBER	02 01250 3490
	REDEMPTION DATE	JUNE 18, 1999
3)	PROPERTY ADDRESS	315 BEACH BLVD.
	SERIAL NUMBER	05 05140 2260
	REDEMPTION DATE	JUNE 18, 1999
4)	PROPERTY ADDRESS	123 PRINCESS ST.
	SERIAL NUMBER	03 02660 3975
	REDEMPTION DATE	JUNE 18, 1999
5)	PROPERTY ADDRESS	70 COVINGTON ST.
	SERIAL NUMBER	05 04810 6390
	REDEMPTION DATE	JUNE 18, 1998
6)	PROPERTY ADDRESS	938 BURLINGTON ST. E.
	SERIAL NUMBER	03 02720 1370
	REDEMPTION DATE	JUNE 18, 1998
7)	PROPERTY ADDRESS	350 WENTWORTH ST. N.
	SERIAL NUMBER	03 02230 3100
	REDEMPTION DATE	JULY 6, 1999
8)	PROPERTY ADDRESS	1555 MAIN ST. W.
	SERIAL NUMBER	01 00420 8390
	REDEMPTION DATE	JULY 14, 1999
9)	PROPERTY ADDRESS	66 STANLOW CRES.
	SERIAL NUMBER	08 10310 4770
	REDEMPTION DATE	JULY 14, 1998
10)	PROPERTY ADDRESS	432 MAIN ST. E. #103
	SERIAL NUMBER	03 02030 6063
	REDEMPTION DATE	JULY 14, 1999
11)	PROPERTY ADDRESS	46 KENILWORTH AVE. N.
	SERIAL NUMBER	04 03310 2170
	REDEMPTION DATE	JULY 14, 1999
12)	PROPERTY ADDRESS	11 DEREK DR.
	SERIAL NUMBER	05 05210 6604
	REDEMPTION DATE	JULY 14, 1999
13)	PROPERTY ADDRESS	83 KENILWORTH AVE. N.
	SERIAL NUMBER	04 03420 1030
	REDEMPTION DATE	JULY 14, 1999
14)	PROPERTY ADDRESS	55 SANFORD AVE. S.
	SERIAL NUMBER	03 02315 1280
	REDEMPTION DATE	NOVEMBER 26 1999
15)	PROPERTY ADDRESS	208 KENILWORTH AVE. N.
	SERIAL NUMBER	04 03310 1360
	REDEMPTION DATE	JULY 17, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16) PROPERTY ADDRESS	219 OTTAWA ST. N.
SERIAL NUMBER	04 02850 0310
REDEMPTION DATE	JULY 17, 1999
17) PROPERTY ADDRESS	727 BARTON ST. E.
SERIAL NUMBER	03 02655 2120
REDEMPTION DATE	JULY 17, 1999
18) PROPERTY ADDRESS	175 DUFFERIN ST.
SERIAL NUMBER	01 00610 3300
REDEMPTION DATE	JULY 17, 1999
19) PROPERTY ADDRESS	175 CLINE AVE. N.
SERIAL NUMBER	01 00520 6590
REDEMPTION DATE	JULY 17, 1999
20) PROPERTY ADDRESS	34 ST. MATTHEWS AVE.
SERIAL NUMBER	03 02175 7360
REDEMPTION DATE	JULY 20 ,1999
21) PROPERTY ADDRESS	729 BARTON ST. E.
SERIAL NUMBER	03 02655 2090
REDEMPTION DATE	JULY 27, 1999
22) PROPERTY ADDRESS	1257 MAIN ST. E.
SERIAL NUMBER	04 03125 8000
REDEMPTION DATE	JULY 27, 1999
23) PROPERTY ADDRESS	1373 MAIN ST. E.
SERIAL NUMBER	04 03125 7250
REDEMPTION DATE	JULY 27, 1999
24) PROPERTY ADDRESS	111 JAMES ST. N.
SERIAL NUMBER	02 01240 2810
REDEMPTION DATE	JULY 27, 1999
25) PROPERTY ADDRESS	32 BARTON ST. E.
SERIAL NUMBER	02 01565 5610
REDEMPTION DATE	JULY 27, 1999
26) PROPERTY ADDRESS	49 AUGUSTA ST.
SERIAL NUMBER	02 01435 7590
REDEMPTION DATE	JULY 27, 1999
27) PROPERTY ADDRESS	569 RENNIE ST.
SERIAL NUMBER	05 04010 1530
REDEMPTION DATE	JULY 27, 1999
28) PROPERTY ADDRESS	220 NEBO RD.
SERIAL NUMBER	06 07210 6160
REDEMPTION DATE	AUGUST 7, 1999
29) PROPERTY ADDRESS	130 STAPLETON AVE.
SERIAL NUMBER	04 03230 2730
REDEMPTION DATE	AUGUST 13, 1999
30) PROPERTY ADDRESS	72 MEGNA CRT.
SERIAL NUMBER	08 10630 2156
REDEMPTION DATE	AUGUST 13, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31) PROPERTY ADDRESS	32 BRITANNIA AVE.
SERIAL NUMBER	04 03135 2380
REDEMPTION DATE	AUGUST 13, 1999
32) PROPERTY ADDRESS	135 KENILWORTH AVE. N.
SERIAL NUMBER	04 03130 8880
REDEMPTION DATE	NOVEMBER 26, 1999
33) PROPERTY ADDRESS	638 UPPER WENTWORTH ST.
SERIAL NUMBER	07 08240 9020
REDEMPTION DATE	AUGUST 13, 1999
34) PROPERTY ADDRESS	11 ELLIS AVE.
SERIAL NUMBER	04 03140 5350
REDEMPTION DATE	AUGUST 13, 1999
35) PROPERTY ADDRESS	28 NORFOLK ST. N.
SERIAL NUMBER	01 00320 4040
REDEMPTION DATE	AUGUST 14, 1999

Bill No. D-22

BY-LAW NO. 99 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 29th DAY OF JUNE, 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29th day of June A.D. 1999

MUNICIPAL CLERK

MAYOR

URBAN MUNICIPAL

June 28, 1999

CA4 ON HBL A05
A31
1999

The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, July 6, 1999
1:00 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz, Municipal Clerk

URBAN MUNICIPAL
JUL 2 1999
GOVERNMENT DOCUMENTS

REFERENCE REPORTS

Transport and Environment Committee

1. **Routine Amendments to City Traffic By-law 89-72 (PWT99015) Intersection Control**
2. **Billboard Advertising in Municipal Car Parks (PWT99012)**
3. **Car Park No. 1 (John and Rebecca) and Car Park No. 80 (King and Bay) Rate Structures (PWT99011)**
4. **Temporary Road Closure of Ferguson Avenue between King Street and King William Street: "Showcase Festival" (TOE99008)**
5. **Bills**

Parks and Recreation Committee

6. ***Zero Tolerance of Violence in Culture and Recreation Facilities – Progress Report (CSC99004)***
7. **Sale of Alcoholic Beverages- Mohawk Sports Park- August 11, 1999 Hamilton Hornets Rugby Football Club Inc. (CSC99002)**
8. **City of Hamilton Draft Trails Master Plan- Authorization to Attend Public Open House (PWT99019)**
9. **Concept Plan for Park Development of Former CP Lands - Forest Avenue (PWT99016)**

10. Award of Contract for Construction of Multi-Purpose Building, Former CP Lands Forest Avenue (PWT99017)

11. Formation of Task Force for the Purpose of Investigating Future Skateboard Facilities (PWT99018)

12. Request For Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

Planning and Development Committee

13. ZAC-99-07, 1221 Limeridge Road East

14. Application to Remove Part-Lot Control – Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan 62M-872 "Effort Gardens, Phase 1"

15. Bills

Finance and Administration Committee

16. Declaration of Surplus Property – 11/19 Rebecca Street, Hamilton (CS99008)

17. Declaration of Surplus Property at 172 Catharine Street North (Assessment Roll Number 02 01560 2770) (CS99010)

18. Revised City of Hamilton Emergency Plan (Report CSC 99-001)

19. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears

20. Appointment of External Auditor

21. Licensed Parking Lots – Enforcement of New Standards (99.2.4.2.1.A) (PDC99032)

22. Bills

Joint Budget Steering Committee

23. Year 2000 Budget Process and Guidelines

TRANSPORT AND ENVIRONMENT COMMITTEE

BACKGROUND MATERIAL

CITY OF HAMILTON

1.

- RECOMMENDATION -

DATE: 1999 June 15
File No. TEC-136-99 / Author: Various

REPORT TO: Carolyn Biggs, Acting Secretary
Transport and Environment Committee

FROM: Doug Lobo
Commissioner of Public Works and Traffic

SUBJECT: Routine Amendments to the City Traffic By-law 89-72
Committee of the Whole Meeting -1999 July 6
(PWT99015)

RECOMMENDATION:

That the routine amendments listed herein be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Staff has received several requests/petitions for routine changes to existing on-street parking regulations and/or intersection control on City streets. Staff has investigated and concurs with the following requests.

1. **Intersection Control**

   (a) Staff has received a request from Beverly Bressette, 31 Inchbury Street, for southbound stop control at the "T" type intersection of Inchbury and Florence. (Ward 1)

2. **Disabled Parking**

   (a) An area resident has requested the removal of the reserved "Permit Parking" regulation at 162 London Street South as the resident has passed away which staff has confirmed. (Ward 4)

   (b) Barbara Varley, 86 Balmoral Avenue South, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Balmoral, directly in front of her home since her husband is disabled. (Ward 3)

(c) Mr. and Mrs. Dion, 48 Beechwood Avenue, have requested the implementation of a reserved "Permit Parking" regulation on the south side of Beechwood, directly in front of their home since their granddaughter, who lives with them, is disabled. (Ward3)

(d) Henry Lachance, 333 Emerald Street North, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Emerald, directly in front of his home since he is disabled. (Ward 3)

MBH/kag

CITY OF HAMILTON

- RECOMMENDATION -

2.

DATE: 1999 June 14
File No. TEC-135-99 / Author: M. Hazell

REPORT TO: Carolyn Biggs, Acting Secretary
Transport and Environment Committee

FROM: Doug Lobo
Commissioner of Public Works and Traffic

SUBJECT: Billboard Advertising in Municipal Car Parks
(PWT99012)

RECOMMENDATION:

That Pattison Outdoor Advertising, Toronto, Ontario, be awarded the tender to provide billboard advertising in municipal car parks, in accordance with the specifications issued by the Purchasing Division and the vendor quote (Ref: C11-1199).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

For the final year of the existing contract (1998 to 1999) revenues were approximately $25,000. Revenues generated by the recommendation will be $84,000 during the first year of this contract (July 1, 1999 to June 30, 2000) and increasing incrementally over the years to approximately $110,000 in the tenth and final year, for a total of almost $1,000,000 over the ten year period.

BACKGROUND:

In 1988, the Board of the former Hamilton Parking Authority entered into a ten year contract for the provision of billboard advertising at 16 locations in various municipal car parks. A ten year contract was deemed to be necessary because of the costs incurred by the successful applicant in erecting and constructing the required structures. The term of the existing contract has expired, and the Purchasing Division therefore distributed a Request for Quotation and interested companies were invited to submit their bids describing a "per poster panel (sign face)" fee payable to the City. As of the closing on 1999 May 31, three bids had been received, as shown on the attachment to this report.

Pattison Outdoor Advertising meets all of the performance specifications required by the Request for Quotation, and this bid well exceeds the other two in the amount of revenue that the City will generate through billboard advertising. No local bids were received.

MBH/kag
Attach.

Ref: C11-1199

Closed: Monday, May 31, 1999

THE CORPORATION OF THE CITY OF HAMILTON

FORM OF QUOTATION

SUPPLY, INSTALL, MAINTAIN, REMOVE AND REPLACE BILLBOARD ADVERTISING
ADVERTISING DISPLAYS AT VARIOUS MUNICIPAL CARPARKS IN THE CITY OF HAMILTON

Per Year Per Poster Panel	Abcon Outdoor	Mediacom Inc.	Pattison Outdoor
July 1, 1999 to June 30, 2000	2,000.00	7,000.00	5,250.00
July 1, 2000 to June 30, 2001	2,100.00		5,408.00
July 1, 2001 to June 30, 2002	2,205.00	3,500.00	5,570.00
July 1, 2002 to June 30, 2003	2,315.00	3,500.00	5,737.00
July 1, 2003 to June 30, 2004	2,431.00	3,500.00	5,909.00
July 1, 2004 to June 30, 2005	2,553.00	4,000.00	6,086.00
July 1, 2005 to June 30, 2006	2,680.00	4,000.00	6,268.00
July 1, 2006 to June 30, 2007	2,814.00	4,000.00	6,456.00
July 1, 2007 to June 30, 2008	2,955.00	4,000.00	6,650.00
July 1, 2008 to June 30, 2009	3,103.00	4,000.00	6,850.00
10 year total	$402,496.00	$600,000.00	$962,944.00

Bidder's Experience In Similar Work Within the Last Five Years

	Project	Year	Owner/Contact	Approx. Revenues
Abcon Outdoor	Outdoor Advertising Boom-AD Advertising	From 1996 to present	Ham. Parking Authority Guy Corsini	4,500.00
	Boom-AD Advertising	08/1995 to Present	GTAA (Pearson Airport) Margaret Whibley	78,500.00
	Boom-AD Advertising	1995 to Present	Toro. Parking Authority Lorne Persiko	5,200.00
	Boom-AD Advertising	01/1999 to 2000	My Motorway, Sydney Australia	125,000.00
	Boom-AD Advertising	1995 to Present	Parking Corp. of Vancouver Brian Lees	31,000.00
More on original bid.				
Mediacom Inc.	City of London (Billboards)	1998	Ron Gasparetto	80,000.00/annum
	Oshawa Transit (Commission Shelters)	1998	Norm Tweedle	50,000.00/annum
	Town of Newmarket (Shelters)	1998	James Barber	120,000.00/annum
	Town of Pickering (Shelters)	1996	Neil Killens	45,000.00/annum
	City of Kitchener (Shelters)	1998	Sandy Roberts	120,000.00/annum
Pattison Outdoor	City of Hamilton	1998	Bob Hayes	37,700.00
	City of Scarborough	1997	Jack Baron	200,000.00
	City of Etobicoke	1976	Frank Bedaard	60,000.00
	City of Kitchener	Yearly Renewal	Sharon McDonald	10,000.00 P.A.
	City of St. Catharines	Yearly Renewal	Helen Harris	10,000.00 P.A.

CITY OF HAMILTON

- RECOMMENDATION -

3.

DATE: 1999 June 7
File No. TEC-132-99 / Author: M. Hazell

REPORT TO: Carolyn Biggs, Acting Secretary
Transport and Environment Committee

FROM: Doug Lobo
Commissioner of Public Works and Traffic

SUBJECT: Car Park No. 1 (John and Rebecca) and Car Park No. 80 (King and Bay) – Rate Structures (PWT99011)

RECOMMENDATION:

(a) That the maximum daily rates for parking be increased at the following locations:

- Car Park No. 1 (John and Rebecca) from $2.00 to $2.50 per day
- Car Park No. 80 (King and Bay) from $4.00 to $5.00 per day; and

(b) That the responsibility for establishing and adjusting parking rates in municipal car parks be delegated to the General Manager of Transportation, Operations and Environment or his designate; and

(c) That the Municipal Parking Facilities By-law 98-110 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the 1999 Parking Services budget to cover the costs of revising the signs and well as reprogramming the Pay and Display parking ticket machines.

The recommended parking rates are designed to maximize revenues and to adequately respond to the demands for parking by encouraging an appropriate level of both daily and transient parkers.

BACKGROUND:

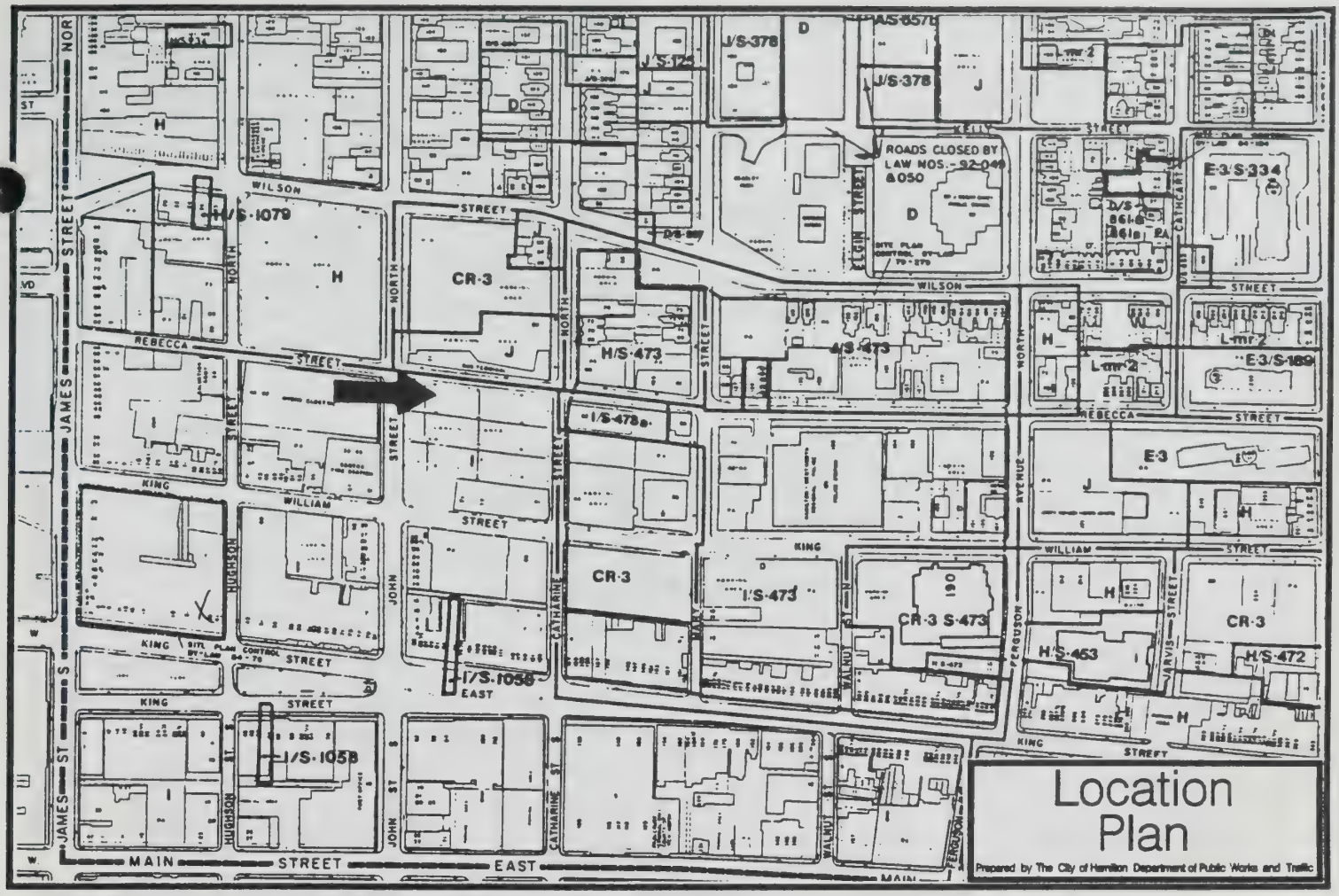
From time to time, it is necessary to adjust the rates in municipal car parks in order to compete with the private parking operators and changing conditions. The rates are designed to provide an appropriate balance of daily parkers and transient parkers, as well as to maximize revenues. However, the current rates at Car Park No. 1 and Car

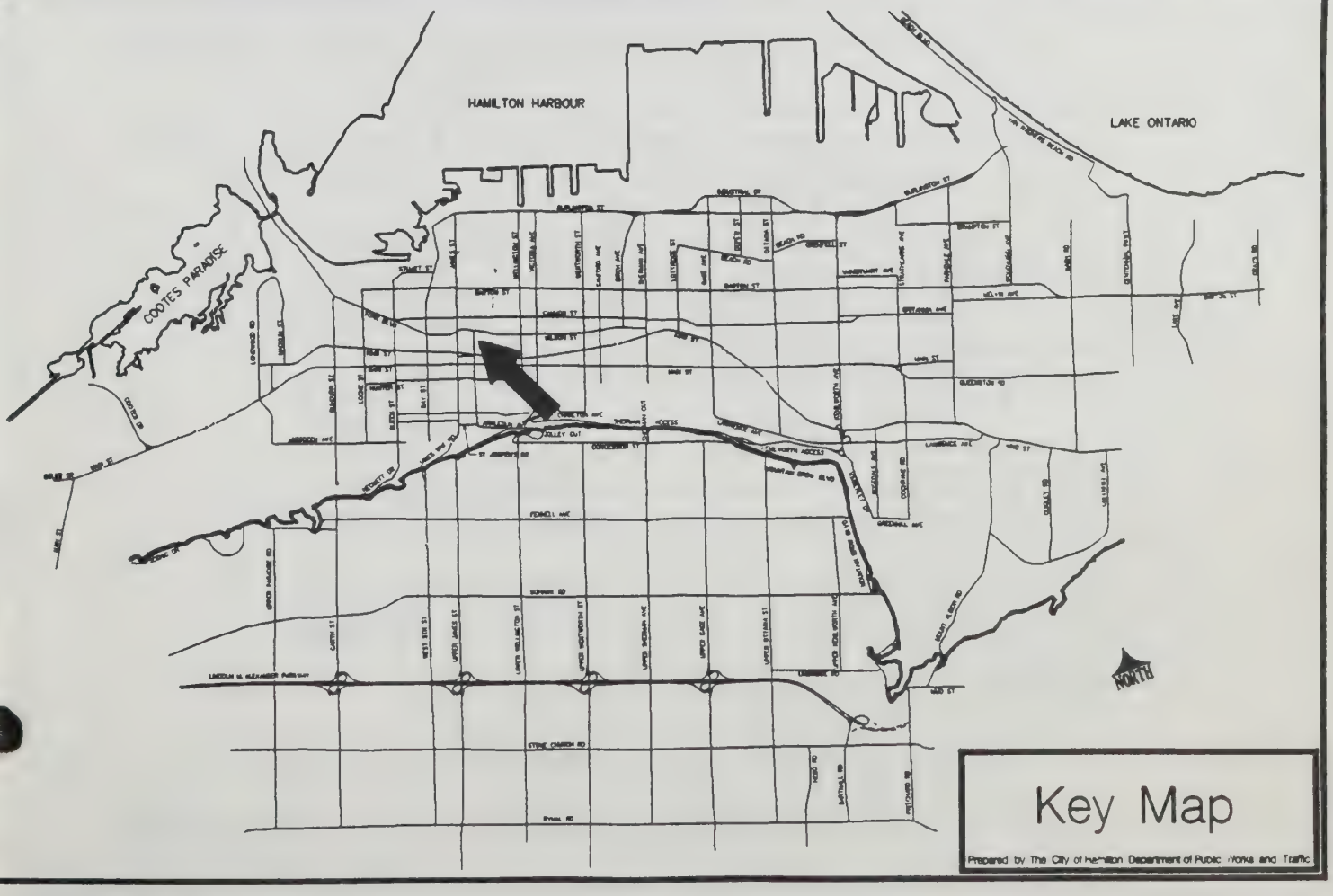
Park No. 80 are very attractive to daily parkers, and transient parkers are rarely, if ever, able to find available short-term parking. Therefore, minor increases in the daily parking rates are recommended, in this particular case, to provide an appropriate level of customer service.

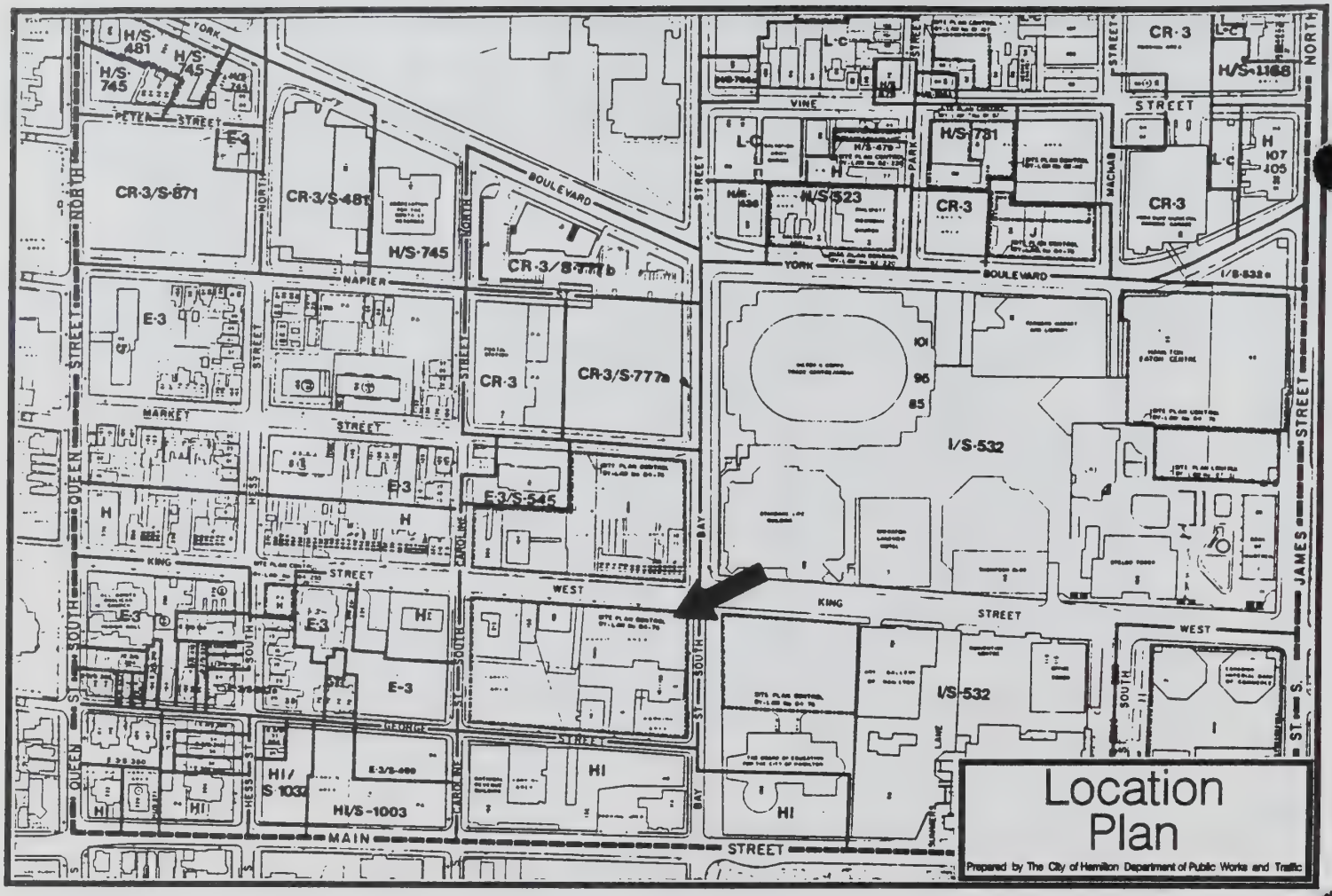
In the past, the General Manager of the former Hamilton Parking Authority was responsible for adjusting the parking rates upwards and downwards to reflect the economic climate, to be competitive with the private parking operators in close proximity and to respond to changing parking conditions. However, upon abolishing the Hamilton Parking Authority in 1998, the Hamilton City Council enacted a new Municipal Parking Facilities By-law, but directed that the parking rates for all municipal car parks be subject to Committee and City Council approval. This requirement places additional restrictions on competing with the private operators and in being able to adjust to changing conditions in a timely fashion, and can result in lost revenues and lost customers. It is difficult to regain former customers if they find suitable alternative parking while staff are waiting for the necessary approvals. Therefore, it is recommended that the authority for minor parking rate adjustments be delegated to staff.

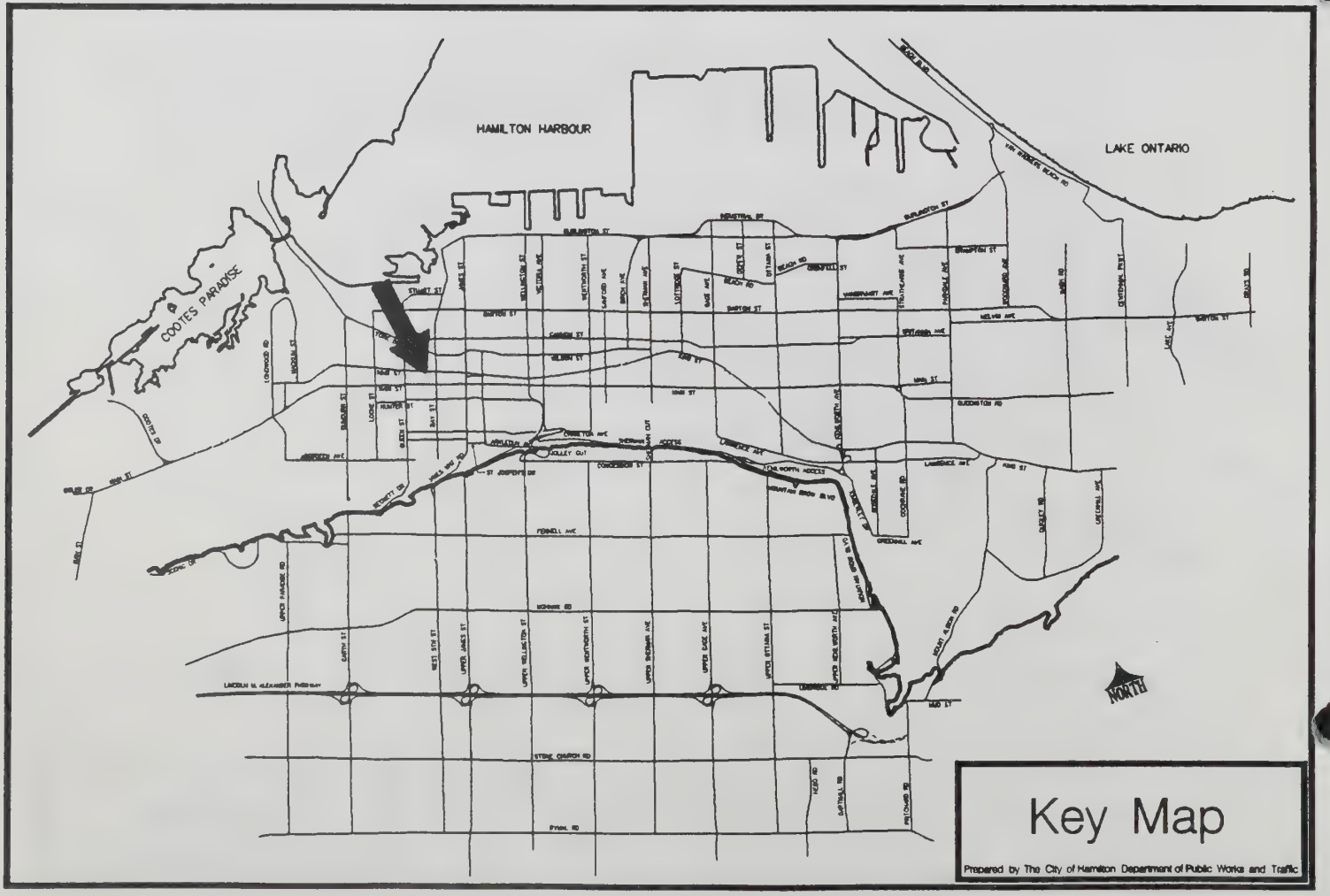
MBH/kag

c.c. Art Leitch, P. Eng.
General Manager, Transportation, Operations and Environment


Location Plan
Prepared by The City of Hamilton Department of Public Works and Traffic
JAMES STREET NORTH
JAMES ST S
HUGHSON ST S
JOHN ST S
CATHARINE ST S
WALNUT ST S
FERGUSON AVENUE NORTH
WILSON STREET
REBECCA STREET
KING WILLIAM STREET
KING STREET
MAIN STREET EAST
ELGIN STREET
CATHCART STREET
JARVIS STREET
CR-3
H/S-473
I/S-1079
I/S-1058
I/S-478
CR-3 S-473
H/S-463
H/S-472
E-3/S-334
E-3/S-189
E-3
L-mr-2
J/S-378
ROADS CLOSED BY LAW NOS. 92-049 & 050


Key Map
Prepared by The City of Hamilton Department of Public Works and Traffic
HAMILTON HARBOUR
LAKE ONTARIO
COOTES PARADISE
NORTH


Location Plan
Prepared by The City of Hamilton Department of Public Works and Traffic
MAIN STREET
KING STREET WEST
QUEEN STREET SOUTH
JAMES STREET SOUTH
BAY STREET SOUTH
YORK BOULEVARD
CR-3/S-871
CR-3/S-481
H/S-745
CR-3/S-777b
CR-3/S-777a
E-3/S-545
I/S-532
H/S-1003
H/S-523
H/S-731
CR-3


Key Map
Prepared by The City of Hamilton Department of Public Works and Traffic
HAMILTON HARBOUR
LAKE ONTARIO
COOTES PARADISE
NORTH

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 11
T103-23 (5) M. J. Preston

REPORT TO: Carolyn A. Biggs, Acting Secretary
Transport and Environment Committee

FROM: A. F. Leitch, P.Eng., General Manager
Transportation, Operations and Environment

SUBJECT: Temporary Road Closure of Ferguson Avenue Between King Street and King William Street: "Showcase Festival"

(TOE99008)

RECOMMENDATION:

That the application of the Hudson, located at 233 King Street East, Hamilton, to close Ferguson Avenue between King Street and King William Street from 1999 Friday August 20 at 12:00 noon to 1999 August 22 at 12:00 midnight for the "Showcase Festival", be approved, subject to the following conditions:

a) i) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained.

ii) That the applicant provide proof of $5,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.

iii) That all barricading, detour signing and traffic control is subject to the direction of the Chief of Police or his designate.

iv) That all barricading be supplied by and at the expense of the applicant.

v) That " Temporary Road Closure" signs be installed on the road by the Department of Public Works and Traffic, if deemed necessary by the General Manager, Transportation, Operations and Environment, at the expense of the applicant.

vi) That the applicant ensures that clean-up be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer.

vii) That no property owner or resident within the barricaded area be denied access to their property upon request.

viii) That all property owners and tenants along the closed portion of the road be notified of the event by the applicant prior to the event in a form acceptable to the General Manager, Transportation, Operations and Environment.

ix) That a Noise Control By-law Officer be in attendance throughout the event at the expense of the event organizer.

b) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the application of the Hudson, 233 King Street East, Hamilton, for a temporary extension of its liquor licence for August 20, 21, 22 in conjunction with the "Showcase Festival" and has no objection to the issuance of the licence.

A.F. Leitch, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:

A request has been received from the Hudson nightclub to temporarily close Ferguson Avenue between King Street and King William Street to hold the "Showcase Festival". The event will feature food and alcohol served on the road allowance and Ferguson Station stage and will showcase several bands in the adjacent City owned parking lot. It is anticipated that 2,000 people per day will be in attendance.

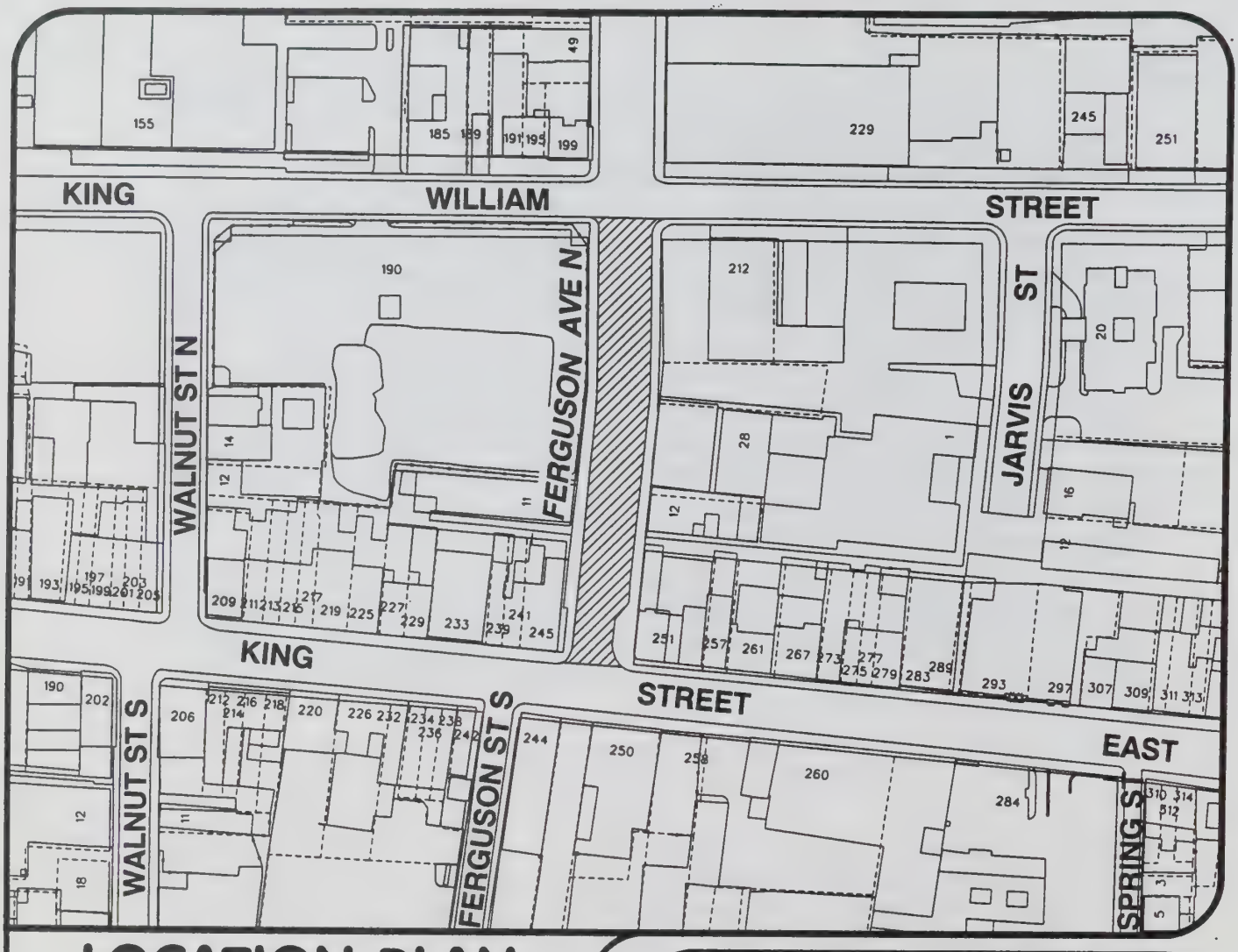
Temporary Closure of Ferguson Avenue
Between King Street and King William Street: "Showcase Festival"

The road will be closed from approximately 12:00 noon on 1999 August 20 for set up and will be reopened immediately after the event at approximately 12:00 midnight on 1999 Sunday August 22. All abutting property owners are in agreement with the closure.

The organizer has applied for a special event liquor licence and a Noise Control Officer and Regional Police Service will be in attendance at the expense of the event organizer. As well, two "Temporary Road Closure" signs will be installed at the entrances to the closure area and the City will be compensated for lost revenue from the parking lot, all at the expense of the event organizer.

The International B.I.A. has no objections to the festival as it highlights the Ferguson Station area and is expected to become an annual event. As the applicant has agreed to adhere to noise control and policing regulations, this Department is in favour of the event.

MJP:
Cc: P.C. D. Schwalm, Police Service
Cc: M. Hazell, Public Works and Traffic
CC: R. Fair, Culture and Recreation



LOCATION PLAN

FOR PROPOSED TEMPORARY PUBLIC ROAD CLOSURE

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
REGIONAL TRANSPORTATION DEPARTMENT

LEGEND

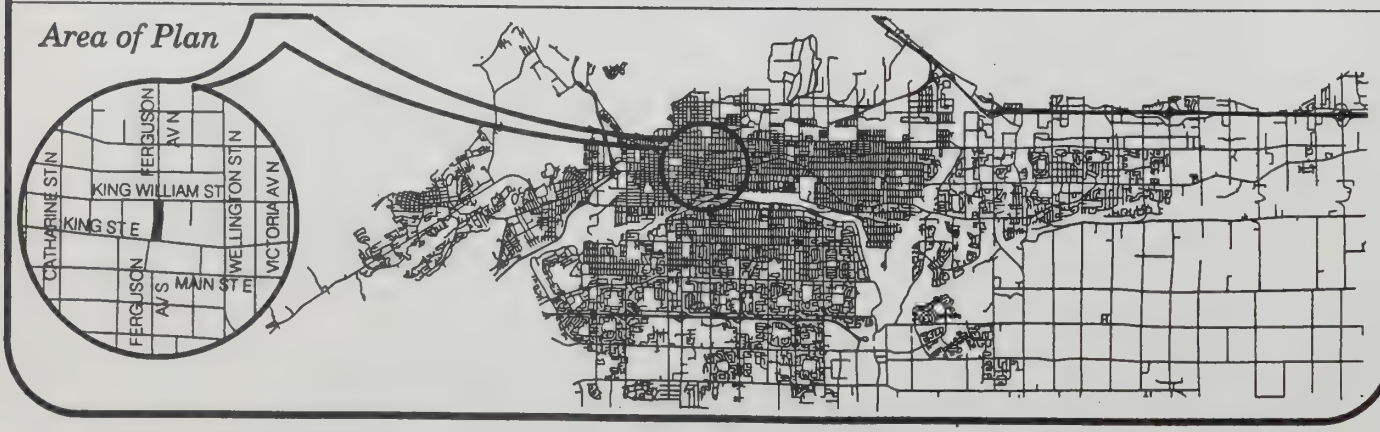
AREA OF PROPOSED TEMPORARY PUBLIC ROAD CLOSURE

NORTH	SCALE	REFERENCE FILE NO.
	Not to Scale	T103-23 (5)
	DATE	
	June 11, 1999	

KEY MAP

NORTH

NOT TO SCALE



FORM RP-98-1

.road\t103-ferguson.dgn Jun. 11, 1999 16:20:01

Bill No. A-30

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

5a)

BEING A BY-LAW TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

   "Inchbury Southbound Florence"

2. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

3. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 6th day of July 1999.

MUNICIPAL CLERK MAYOR

Bill No. A-31

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

5b)

BEING A BY-LAW TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby amended by adding thereto the following items, namely:-

"Balmoral	West	commencing 366 feet south of Maple and extending 27 feet southerly therefrom	Anytime
Beechwood	South	commencing 289 feet west of Barnesdale and extending 21 feet westerly therefrom	Anytime
Emerald	West	commencing 62 feet south of Birge and extending 20 feet southerly therefrom	Anytime"

and by deleting therefrom the following items, namely:-

"London	West	commencing at a point 68 feet south of Montclair to a point 19 feet southerly therefrom	Anytime
London	East	commencing at a point 77 feet south of Montclair to a point 18 feet southerly therefrom	Anytime"

2. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

3. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 6th day of July 1999.

MUNICIPAL CLERK MAYOR

Bill No. A-32

THE CITY OF HAMILTON

BY-LAW NO. 99-

TO AMMEND BY-LAW NO. 98-110

5c)

RESPECTING:

THE CONSTRUCTION, MAINTENANCE, OPERATION,MANAGEMENT AND REGULATION OF MUNICIPAL PARKING FACILITIES

WHEREAS Sub-section 56 of Section 207 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, confers upon the councils of all municipalities the authority to acquire, establish, lay out and improve land, buildings, and structures where vehicles may be parked, and for erecting buildings or structures for, or in connection with, the parking of vehicles;

AND WHEREAS Sub-section 56 of Section 207 of the Municipal Act, as amended, further provides for the regulation, supervision and governing of the parking of vehicles on land so acquired, established, laid out and improved;

AND WHEREAS Paragraph (6) of Section 191 of the Municipal Act, as amended, confers upon the councils of every corporation the authority to pass by-laws providing for the use by the public of lands of which the corporation is the owner and for the regulation of such use and the protection of such lands;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on the 14th day of April, A.D. 1998, did enact By-law No. 98-110, providing for the construction, maintenance, operation, management and regulation of municipal parking facilities;

AND WHEREAS the Council of the City of Hamilton deems it necessary and appropriate to amend By-law 98-110;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law 98-110, as amended, be further amended by repealing sub-section (a) of Section 1, in its entirety, and by substituting therefor the following sub-section:

   "(a) "by-law enforcement officer" includes any person so designated by a By-law of the City of Hamilton, any parking control officer and any officer of the City appointed for the purpose of carrying out the provisions of this By-law"

2. That By-law 98-110, as amended, be further amended by repealing sub-section (m) of Section 1, in its entirety, and by substituting therefor the following sub-section:

   "(m) "parking fees" means the fees established from time to time, by the City Council, or the General Manager of Transportation, Operations and Environment, or his or her designate, for the parking of a vehicle in a car park."

3. That By-law 98-110, as amended, be further amended by striking out the word "parks" in sub-section (1) of Section 6 thereof and by substituting therefor the word "park".

4. That By-law 98-110, as amended, be further amended by adding to Section 6 thereof the following sub-section:

"(6) The General Manager of Transportation, Operations and Environment, or his or her designate, shall establish such parking fees or charges as may be deemed necessary and appropriate for the use of any car park, or any space or area within a car park, and shall adjust or revise such rates from time to time as such adjustment or revision becomes necessary and appropriate.

5. That **Schedule 1** of By-law 89-110 is hereby amended by adding thereto the following items, namely:-

"1	76 John Street North	$ 1.00	$ 0.50	$ 2.50	$ 40.00
80	22 Bay St. S./119 King St. W.	$ 1.50	$ 0.75	$ 5.00	$ 69.49"

and by deleting therefrom the following item, namely:-

"1	76 John Street North	$ 1.00	$ 0.50	$ 2.00	$ 40.00
80	22 Bay St. S./119 King St. W.	$ 1.50	$ 0.75	$ 4.00	$ 69.49"

6. In all other respects, By-law 98-110 and the Schedule attached thereto is hereby confirmed unchanged.

7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 6th day of July , A.D. 1999

Municipal Clerk

Mayor

PARKS AND RECREATION COMMITTEE

BACKGROUND MATERIAL

CITY OF HAMILTON

- RECOMMENDATION-

DATE: 1999 June 16

REPORT TO: Chairperson and Members
Parks and Recreation Committee

FROM: Ross L. Fair, General Manager
Community Services Division

SUBJECT: Zero Tolerance of Violence in Culture and Recreation Facilities - Progress Report
CSC99004

RECOMMENDATION:

That City Council reaffirms its support for the Zero Tolerance to Violence Policy, which sets out principles, goals and definitions of acceptable behaviour within City owned properties.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are no financial, staffing or legal implications arising out of this recommendation.

BACKGROUND:

On 1997 August 26, City Council approved Item 12 of the 8th Report of the Parks and Recreation Committee authorizing the Director of Culture and Recreation to prepare a strategy for zero tolerance to violence within City facilities.

As a result, the City adopted a Policy of Zero Tolerance to Violence.

On 1998 January 27, City Council approved Item 11 of the 2nd Report of the Parks and Recreation Committee, amending the Zero Tolerance to Violence Policy by implementing a mandatory two month penalty for violation of the Policy.

Since its inception, there have been recurring issues surrounding the Zero Tolerance Policy and its administration and communication.

Initially, it was felt that this Policy would be best served through the establishment of a third party Appeals Board. The purpose of this Board would be to review appeals and assign terms for penalties. This proposal has been abandoned, as liability to the City would increase. As owners, responsibility for

the behaviours on the City property is clearly vested with the City. A third party ruling which proves to be in error would simply compound the City's responsibilities.

In addition to liability concerns, it is foreseen that the timely disposition of complaints may prove to become a hardship. That is, transgressors desire an immediate response and this is best supplied by staff.

We are continuing to investigate the possibility of reforming a revised City wide sport advisory body whose duties may include accreditation of sport volunteers, sport development, tournament bids and possibly a role in the Zero Tolerance Policy. We will advise in the future of our progress.

Nonetheless, our major sports associations continue to request an appeal procedure. It has been agreed that anyone who is not happy with the consequences may, in writing, request an appeal. **No appeals to time suspensions shall be considered. Only appeals based upon new information may be considered to ensure that the suspension awarded was in fact merited**. It is expected that few appeals will be granted. No formal process is considered. If questionable and allowed, the decisions made by the Manager shall be considered by the Director and sustained or altered accordingly.

A second recurring theme remains communication. Additional signs have been ordered for installation at our major sports parks. Public service announcements continue within the Arenas and additional letters have been sent to select memberships. It is expected that constant communication and re-emphasis shall be required to maintain the momentum of this initiative.

In this regard, our past efforts will continue; including posting the Policy at our venues, review by Sports Associations and inclusion in their information packets, consideration and recommendations arising out of the Spirit of Sport Task Force will be implemented as practical and Public Service Announcements continued.

Since the acceptance of this Policy as of 1998 January 1, we have recorded 21 incidents (1998 – 13, 1999 – 8) with the majority of suspensions having arisen out of carryovers from the respective sports.

Some incidents have revolved around parents abusing volunteers in the carrying out of their duties.

It is suspected that fewer incidents are being reported by respective groups in an effort to avoid suspension; however, the trend appears to be slowing in all areas. A listing of the types of incidents is attached hereto along with a copy of the Policy.

In conclusion, it is felt that the Zero Tolerance Policy is an indispensable tool in ensuring safe and welcoming environs for our patrons. Continuous education and promotion is required to improve results and instill the ideals of fair play and sportsmanship.

If, and as identified, improvements to the Policy will be considered and implemented. A report accompanying any changes will be forwarded to Council outlining the purposes and goals to be achieved.

WPM/dj

c.c. Jennifer Davidson, Corporate Counsel
Ken Duncliffe, Director, Culture and Recreation Department
William Moffatt, Manager, Facility Operations, Culture and Recreation
Bob Chrystian, Manager of Parks, Public Works and Traffic Department
David Adames, Business Partner, Corporate Services
Sports Liaisons, Culture and Recreation Department
Facility/Centre Supervisors
Superintendents, Outdoor Sports Facilities

ZERO TOLERANCE TO VIOLENCE

ARENAS DIVISION

1997

Incidents

1. November 1997 – Lawfield Arena - Two players were banned for fighting. One player's ban was rescinded, as he was non-retaliatory. Other player banned for two months.

2. November 1997 – Inch Park Arena -Parent of a player involved in a physical altercation with a referee (profanities, threats and slapped helmet with enough force to cause chinstrap holder to come off). Banned for 3 months.

3. December 1997 – Chedoke Twin Pad - Parent used verbal assault, intimidation and threats against another parent in the parking lot of the arena. Parent banned for two months.

4. December 1997 – Chedoke Twin Pad - Two players were banned for fighting while exiting the facility for two months.

5. December 1997 – Scott Park Arena - Player banned for two months for abusive and threatening behaviour following a game (threatened to have an executive member killed by having people bring a gun).

ZERO TOLERANCE TO VIOLENCE

ARENAS DIVISION

1998

Incidents

1. January 1998 – Mountain Arena - Two players were banned indefinitely for fighting in the hallway of the arena following their game.

2. February 1998 – Scott Park Arena - A spectator was banned indefinitely for physical contact with a referee (words were exchanged, spectator shoved referee from behind).

3. February 1998 – Lawfield Arena - A youth was banned indefinitely for threatening behaviour ("I'll kill you", "you're dead") during a Public Skating Program.

4. February 1998 – Mountain Arena - A gentleman was banned for six months for unsolicited aggressive behaviour (shaking hands, hugging and kissing of individuals). Any repeat of such unwelcome behaviour will result in a lifetime suspension.

5. April 1998 – Lawfield Arena - A spectator was banned indefinitely for violent behaviour (picked up a hockey stick and slammed it into the glass of exit/entry door with full force) during a game after a penalty was called.

6. May 1998 – Chedoke Twin Pad Arena – A spectator was banned indefinitely for intimidating and abusive behaviour towards a convenor because ice was cleared early during tryouts.

7. May 1998 – Eastwood Arena – a player who had been banned from playing ballhockey was at the arena as a spectator and was banned for two months for threatening and abusive behaviour and use of vulgar language.

8. July 1998 – Eastwood Arena – a player was banned indefinitely for threats to personnel and property following disputes on floor surface during a game.

ZERO TOLERANCE TO VIOLENCE

ARENAS DIVISION

1999

Incidents

1. January 1999 – Coronation Arena – a player was banned for two months for threatening behaviour.

2. January 1999 – Scott Park Arena – a player was banned for two months for threatening and abusive behaviour.

3. February 1999 – Scott Park Arena – a player was banned for loud and abusive language and potential damage to a building.

4. February 1999 – a parent was banned for two months for abusive behaviour and subsequent one-year suspension for threatening and abusive behaviour to staff, officials,volunteers.

5. February 1999 – Lawfield Arena – 2 brothers banned for threatening and intimidating behaviour and use of inappropriate language.

6. February 1999 – Coronation Arena – a player was banned for two months for a reoccurrence of abusive behaviour.

7. March 1999 – Lawfield Arena – a player was suspended indefinitely pending investigation for abusive behaviour.

8. March 1999 – Inch Park Arena - 2 players banned until December 1, 1999 for physical violence.

ZERO TOLERANCE TO VIOLENCE

COMMUNITY SERVICES DIVISION

1996

INCIDENTS

1. June 1996 – A 13 year old called an adult a name ("psycho-dude"). The adult swore at the youth and slapped him in the face.

2. August 1996 – Outdoor Pool. Incident involved an elderly man standing outside pool fence fondling himself while staring intently at the young female swimmers. Police were called and an incident report completed. Individual was banned from all facilities for six months.

ZERO TOLERANCE TO VIOLENCE

COMMUNITY SERVICES DIVISION

1997

INCIDENTS

1. April 1997 – Individual entered facility carrying a knife threatening to kill. He had been involved in an argument outside the centre earlier with a youth. He went home to get a knife and came back into the centre looking for him. Banned for one year.

2. March 1997 – Six youths involved in a fight. Two had already been sent registered letters banning them from the centre. Pushing, shoving and threatening occurred. One youth had a knife. Police were called to the scene. Four of them were expelled for three months from all centres. Three months added on to length of previous expulsion for the two youths.

3. July 1997 – Outdoor Pool/Park – Angry father became involved with a group of teens in the park who he claimed had egged his home and broken a window the night before. When he spotted them in the park/pool area he threatened to kill them and came after them with a baseball bat. Police were called and he was arrested. Banned for six months.

4. July 1997 – "Supie" Program – Older special needs adult kept bothering the children by staring at them and inappropriately touching them. Banned from entering park while "Supie" present for three months.

5. September 1997 – Recreation Centre – Adult became very aggressive and started screaming at staff when he was not allowed to pre-register his child in swimming lessons (child had not been registered in the previous session as required).

6. November 1997 – Recreation Centre – Three youths with a history of showing disrespect to staff, i.e. threatening receptionist and making a gun with his finger, using stolen membership cards, etc. This incident involved a fight breaking out over a game of basketball. One of the youths had a knife. Banned for six months.

ZERO TOLERANCE TO VIOLENCE

COMMUNITY SERVICES DIVISION

1998

INCIDENTS

1. January 1998 – Adult was carrying a knife in his gym bag at a recreation centre and threatened other patrons. Banned for a year.

2. July 1998 – Gilkson Youth Soccer – a teen was banned indefinitely for threatening and abusive behaviour and inappropriate language

3. September 1998 – Huntington Park Recreation Centre – a teen was banned for one year for repeated threatening and intimidating behaviour. This same teen was banned from Lawfield Arena for same offence.

4. November 1998 – Jimmy Thompson Pool – a teen was banned for one year because of verbal abuse and physical violence towards another patron.

5. November/December 1998 – Bennetto Recreation Centre - 2 teens from same family banned for 3 months for threatening violence and inappropriate behaviour.

CITY OF HAMILTON

DEPARTMENT OF CULTURE AND RECREATION

ZERO TOLERANCE OF VIOLENCE IN RECREATION FACILITIES POLICY:

Policy Statement:

The City of Hamilton's recreation facilities: arenas, recreation centres, outdoor pools and parks sports pitches exist to provide residents with opportunities to participate in sport and other recreational activities in a safe and positive environment. The City will ensure the most supportive climate possible for Hamilton children, so that they can enjoy their sport, and learn about competition, teamwork, sportsmanship and fair play.

As with many Ontario communities, Hamilton's minor sport system is managed and operated by volunteers. These community-minded citizens contribute in many ways to the success of minor sport in Hamilton. It is the City's responsibility that they, too, have the ability to work in a safe and positive environment.

It is critical, then, for the City, via the Department of Culture and Recreation to do all things necessary to ensure that deterrents are in place to ensure that incidents of violent behaviour do not occur in its recreation facilities.

Included in this commitment is an understanding that organizations that rent City facilities must take PRIMARY responsibility for the behaviour of all associated with them: players, officials and spectators.

Statements of Principle:

1. Participation by children in sport is an important element in the human development process.

2. To ensure maximum enjoyment and benefits from participation in sport, the maintenance of a safe and positive environment is essential.

3. The rules of each of the games exist to protect the players. Referees/officials are charged to ensure the fair and even application of the rules and to ensure safety of the players.

4. These referees/officials as well as organizers of minor sport, are for the most part volunteers and, as such, the City must put measures in place to ensure their safety.

5. Violent or abusive behaviours, such as verbal threats and insults, attempts to intimidate as well as physical assault and battery have no place in the City's recreation facilities.

6. Promotion of spectator "positive cheering" will assist in the reduction of violent

behaviours in City facilities.

Goals of the Policy:

1. To reduce or eliminate violence from City-owned recreation facilities, including outdoor sports pitches.

2. To promote positive cheering behaviours among spectators and fans.

3. Increase the level of understanding among spectators and fans of the importance of creating a positive and supportive environment for children's sport.

Definition of Violence:

For the purposes of this Policy, the focus is on the behaviour of non-players, except in a situation in which a player leaves the area of play to engage in a violent act.

Violence is seen to be the following behaviours:

* loud verbal assaults
* threats and attempts to intimidate
* throwing of articles in a deliberate or aggressive manner
* aggressive approaches to another individual
* physical striking of another individual
* attempts to goad or incite violence in others

The Consequences:

Individuals who engage in any of the above behaviours will be subject to immediate ejection from the facility and a further ban from all City facilities for a period of time to be determined by the Director of Culture and Recreation.

All incidents will be reported to the Hamilton-Wentworth Regional Police. Criminal charges may follow.

Components of the Policy:

The Education Component:

The Department of Culture and Recreation, with its local sports partners, will undertake a promotional and educational campaign aimed at raising awareness among parents, volunteers and spectators of the Zero Tolerance Policy and, in particular, the importance of their role in creating a positive playing atmosphere in City recreation facilities.

This component will include posters to be hung in all facilities; circulation of the policy to all

stakeholders as well as posting of the policy in all City facilities; inclusion of reference to the policy in affiliate organization newsletters/handbooks.

The Enforcement Component:

In accordance with the Occupiers Liability Act, the Occupational Health and Safety Act, the Trespass to Property Act and the Criminal Code, the Policy will detail actions to be taken by staff if violent behaviours are observed or reported by organizations that have rented City facilities. The Procedures section of the Policy will detail actions to be taken.

Implementation:

If approved by Council the policy will take affect on 1 September 1997. The Policy will be implemented in two phases:

The Education Component will be launched immediately in order to provide fair warning to all parties of the Policy and its impacts on their behaviour. It is anticipated that this phase will have an immediate impact but will need to be an ongoing effort.

During the Fall of 1997, staff and volunteer organizations will work together to increase awareness of the policy.

Incidents of a verbal nature will be tolerated initially, but will be noted and raised as an issue by the organization utilizing the facility.

Incidents of a physical nature will be dealt with as in the past. Immediate ejection from the facility, possible banning, and a call to the police.

Staff training will also continue through this phase.

Full Implementation will be achieved by 1 January 1998. It is anticipated that all affected parties will have an awareness of the existence and contents of this policy by this time.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 14

REPORT TO: Chairperson and Members
Parks and Recreation Committee

FROM: Ross L. Fair, General Manager
Community Services Division

SUBJECT: Sale of Alcoholic Beverages – Mohawk Sports Park
Hamilton Hornets Rugby Football Club Inc. – August 11, 1999
CSC99002

RECOMMENDATION:

That approval be granted to the Hamilton Hornets Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on August 11th, 1999 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Licence Agreement with the Hamilton Hornets stipulates that the Club must obtain Special Occasion Permits to cover all consumption of alcoholic beverages associated with its activities and events, subject to Council approval.

The Licence Agreement also requires the Club to provide proof of Commercial and General Liability Insurance, inclusive of Bodily Injury, Property Damage and All Risks Tenants Legal Liability in the amount of $5 million to include Liquor Liability, naming the City as co-insured.

BACKGROUND:

Council at its meeting of May 11th, 1999 and June 29th, 1999 approved the request by the Hamilton Hornets Rugby Football Club to sell alcoholic beverages on May 15, 27, June 5, 12, July 9, 17, 24, 31, August 14, 21, 28, September 3, 4, 5, 6, 11, 18, 25 and October 17, 1999 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence. The Club is required to obtain permission to acquire Special Occasion Permits for game days only. The above date is in addition to the dates already requested.

Department staff has no record of complaints with respect to the Club's conduct and have concluded that the Club has continued to carry out its activities responsibly and professionally.
/cs

c.c. Wm. Moffatt, Manager, Facility Operations
P. D'Alessandro, Coordinator Administration Services and Information
M. Hammond/C. Secore, Community Sports Liaisons

CITY OF HAMILTON

- RECOMMENDATION –

DATE: 1999 June 14
Author: Penny Ulbinas

REPORT TO: Ms. T. Agnello, Secretary
Parks and Recreation Committee

FROM: Mr. D. Lobo, Commissioner
Department of Public Works and Traffic

SUBJECT: **City of Hamilton Draft Trails Master Plan – Authorization to Attend Public Open House (PWT99019)**

RECOMMENDATION:

a) That staff be directed to arrange and attend a public open house meeting to present a draft Trails Master Plan and receive public and stakeholder input on the proposal; and,

b) That a final report be forwarded to Committee and City Council after receiving public input; and,

c) That based on the proposed alignment of the Trans Canada Trail through the City of Hamilton, staff be authorized to make application to the Trans Canada Trail Foundation for designation and inclusion in this program.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

With the Council approved arrangement whereby the tenant of 22 Veever's Drive (Glen Manor Estate) is authorized to occupy the residence, rent and property tax free, for the lease period, in lieu of rental payment, the tenant is responsible for undertaking a work program designed to equal the value of rent plus taxes. The City of Hamilton Trails Master Plan involved Mr. Tomlinson (the tenant) in compiling data, and researching proposed recommended linkages and trail alignment for future development.

Costs for Mr. Tomlinson's professional services are covered by the rental agreement.

**City of Hamilton Draft Trails Master Plan –
Authorization to Attend Public Open House (PWT99019)**

City staff together with Mr. Tomlinson are working toward completion of the defined work program.

From a legal perspective, the lease and consultant agreement covering Mr. Tomlinson's tenancy over 1998 has been used as a basis for implementing relative portions of this recommendation.

With reference to the Trans Canada Trail, a pre-requisite to any funding eligibility and inclusion in this cross Canada initiative is registration for TCT designation and execution of a letter of agreement. Given that opening of this trail will involve community based events from coast to coast, it is important that we indicate interest in participating at the earliest possible date. Information about the TCT was circulated via an Information Report dated February 11, 1999.

BACKGROUND:

In accordance with the approved long term use plan for Glen Manor, the City entered into a lease and consulting agreement with Mr. Neil Tomlinson effective for a one year period commencing 1998 February 01.

Mr. Tomlinson's credentials and interests were well suited to this Trails Master Plan project which involved taking an inventory and documentation of site conditions associated with natural and built corridors within City boundaries. Focusing on potential for enhancing our existing network of recreational trails and forecasting remediation measures, where necessary the final document will also include the costs and other implications associated within this form of linear park development.

The proposed open house represents an opportunity to gain public input and support for future trail development and to convey information about the Trans Canada Trail project. Application to the TCT Foundation, based on a draft alignment allows for changes, if necessary, while ensuring our involvement in this National endeavour.

A copy of the draft report supporting the master plan and proposed trail alignments will be available for review and discussion as part of the staff presentation on this matter.

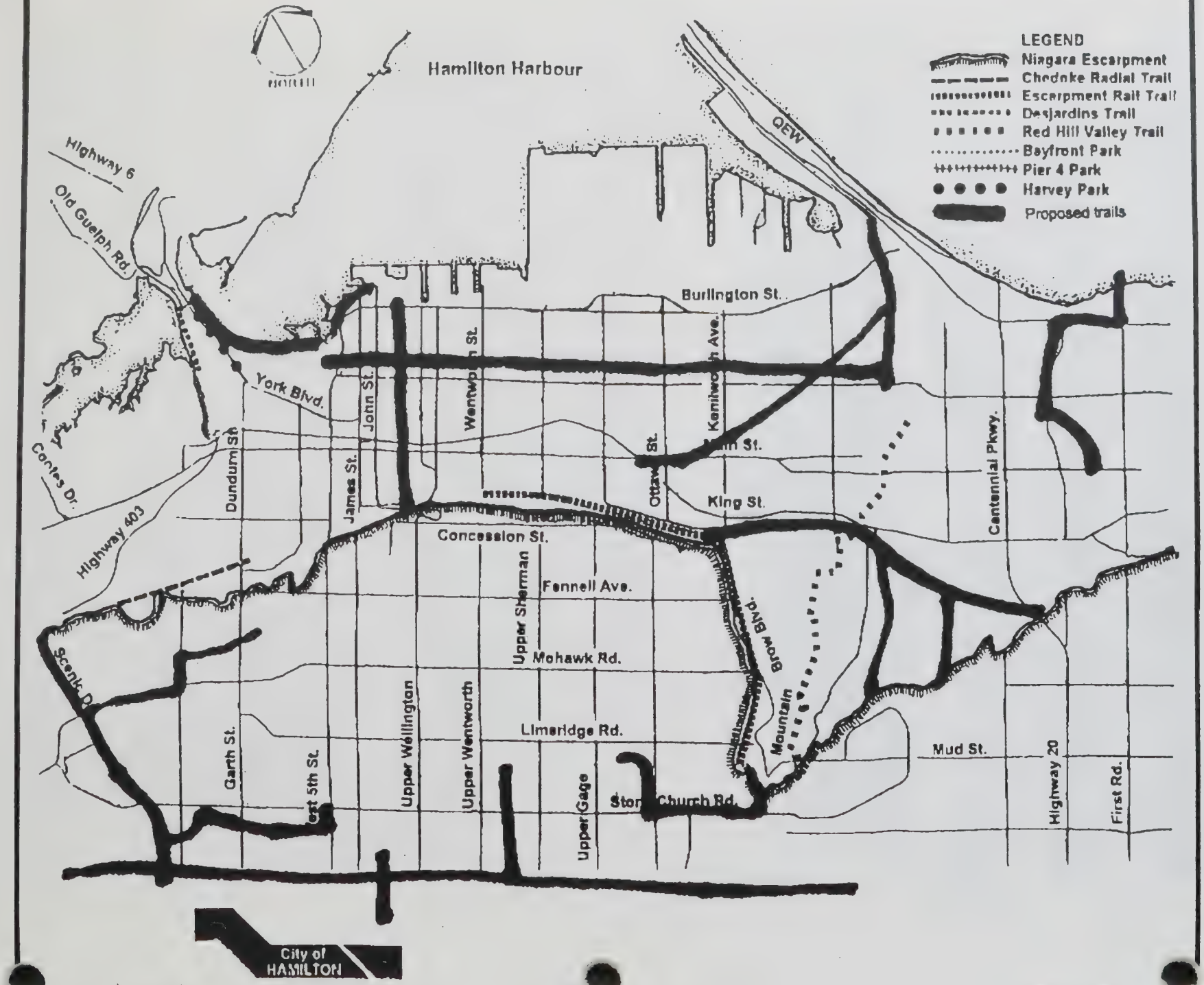
With the approval of Council, Mr. Tomlinson's lease was extended to May 30, 1999 due to the scope of work involved with this project. Given that his work is

now complete, Mr. Tomlinson has terminated his lease with the City and has taken up residence elsewhere. At present 22 Veevers Drive is vacant.

PSU:bg
Attch.

cc: All Members of City Council
A. Leitch, General Manager, Transportation, Operations & Environment
A. Ross, General Manager, Finance Division
R. Chrystian, Manager of Parks
R. Roszell, Corporate Counsel, Law Department

CITY OF HAMILTON RECREATIONAL TRAILS



CITY OF HAMILTON

- RECOMMENDATION –

DATE: 1999 June 08
Author: Penny Ulbinas

REPORT TO: Ms. T. Agnello, Secretary
Parks and Recreation Committee

FROM: Mr. D. Lobo, Commissioner
Department of Public Works and Traffic

SUBJECT: **Concept Plan for Park Development of Former CP Lands – Forest Avenue (PWT99016)**

RECOMMENDATION:

That City Council endorse the concept plan for park development of the CP Lands site located on Forest Avenue prepared by staff in consultation with a citizens advisory committee and the Ward 2 Aldermen, and represented on Schedule 'A' attached to this report.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

From a financial perspective City Council approved the acquisition and development of the former Forest Avenue Rail Yard from C.P. Rail in 1997. The capital funding allocation for land purchase and park development was $1,600,000. $1.1 million will be used to purchase the property with the remaining funding to be used to develop to the park site.

Any matters of a legal nature have and will continue to be referred to the Law Department.

There are no staffing implications.

BACKGROUND:

The proposed development plan is attached as Schedule 'A'.

This plan was prepared by staff in consultation with a neighbourhood park committee (30 members) and the Ward Aldermen. This committee was formed in early 1998 and met on at least eight occasions during the past year. The preferred plan was presented and endorsed by the neighbourhood on 1999 April 14.

Concept Plan for Park Development of
Former CP Lands – Forest Avenue (PWT99016)

The plan contains two major components, sports fields and a neighbourhood component. The Corktown Neighbourhood and Community has a severe shortage of sports field facilities, as do many of the downtown neighbourhoods. Currently, the youth in the area are denied the opportunity of participating in summer sports activities within their own neighbourhood or community or must join an organization outside their community to play sports. From a programming perspective, a sports association works best when a number of fields can be located at one site. Due to the rapid rise in youth involved in soccer, the concensus of park development committee members was for soccer fields at this community level park. The neighbourhood component proposed in the plan includes a play structure and swing area, sun shelter, fountain and hard surface area for children's games.

Other amenities included in the plan are: site furniture, pathways, lighting, trees and a shaded passive area. An alignment for the extension of the Escarpment Rail Trail to Wellington Street South has been incorporated in the plan, as well as the streetscaping along Ferguson Avenue.

Since this community park serves the downtown community, where residents may drive to the park, a parking area with up to 51 spaces adjacent to Forest Avenue has been incorporated within the plan.

Prior to CP transferring ownership of the site to the City, the site is being remediated by CP. The remediation work started in early May and will be completed prior to the transfer of land ownership expected in July, 1999.

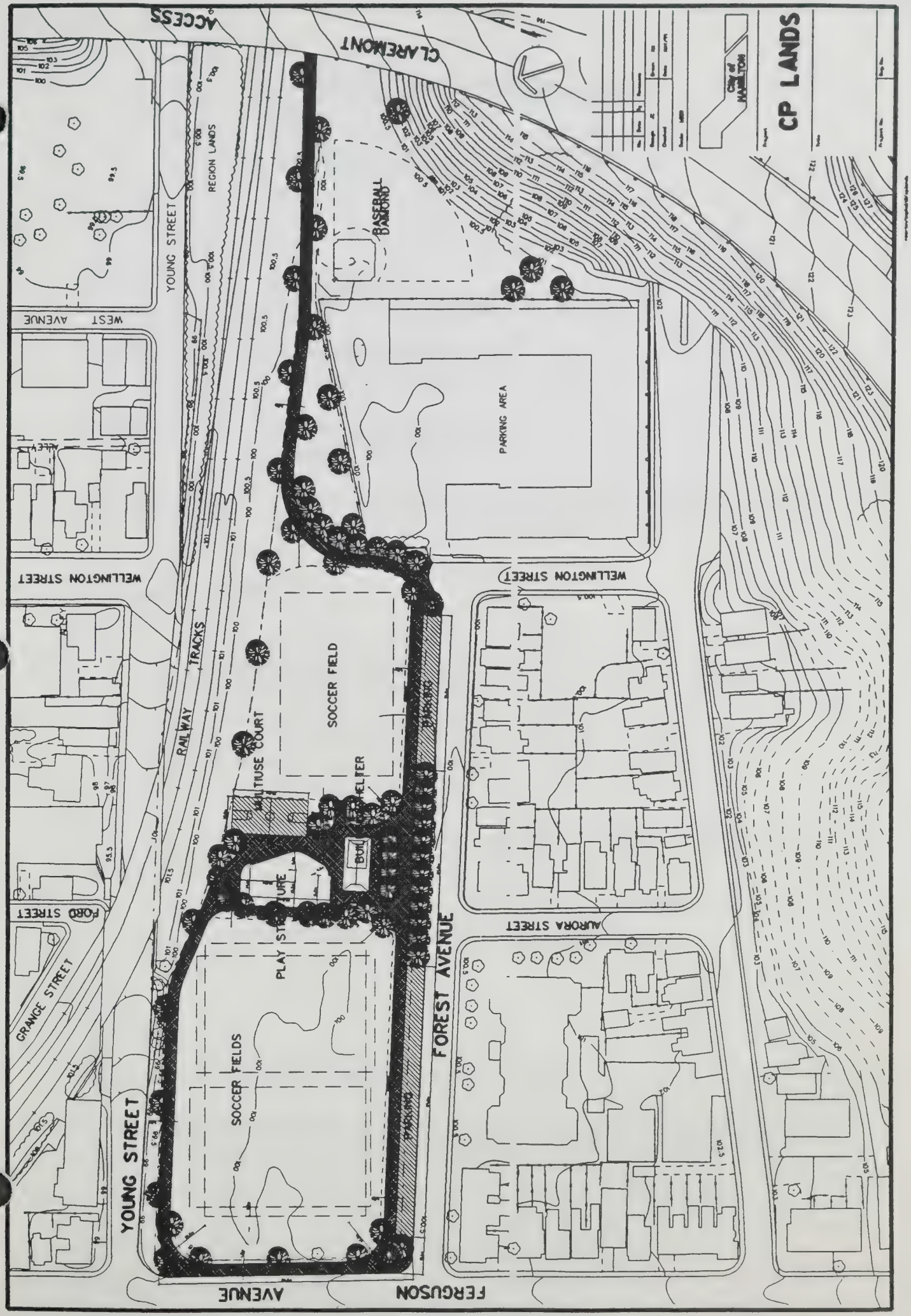
Construction of the park is proposed to commence in mid July with completion anticipated in the fall allowing active play to commence in the spring of 2000. As no topsoil presently exists on site, the major construction component is the importing of over 8,000 cubic metres of topsoil.

The central area of the lower City is subject to site plan approval and as such the plans for this site have been submitted for site plan approval.

PSU:bg
Attch.

cc: Alderman A. Horwath, Ward 2
Alderman R. Corsini, Ward 2
Mr. A. Leitch, General Manager,
Transportation, Operations and Environment
Mr. A. Ross, General Manager, Finance Division
Mr. R. Roszell, Corporate Counsel, Law Department
Mr. R. W. Chrystian, Manager of Parks
Mr. K. Duncliffe, Director of Culture and Recreation
All Park Staff Committee Members

Schedule A


ACCESS
CLAREMONT
CP LANDS
City of HAMILTON
REGION LANDS
YOUNG STREET
BASEBALL DIAMOND
WEST AVENUE
PARKING AREA
WELLINGTON STREET
SOCCER FIELD
RAILWAY TRACKS
MULTI-USE COURT
SHELTER
BOILER
PLAY STRUCTURE
FORD STREET
GRANGE STREET
AURORA STREET
FOREST AVENUE
SOCCER FIELDS
PARKING
YOUNG STREET
FERGUSON AVENUE

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 14
Author: Penny Ulbinas

REPORT TO: T. Agnello, Secretary
Parks and Recreation Committee

FROM: D. Lobo, Commissioner
Department of Public Works and Traffic

SUBJECT: **Award of Contract for Construction of Multi-Purpose Building – Former CP Lands – Forest Avenue (PWT99017)**

RECOMMENDATION:

a) That approval be given to issue a purchase order to Lael Construction Co. Ltd, Hamilton Ontario in the amount of $159,644.00 including G.S.T. for the construction of the Multi-Purpose building at CP Lands Park being the lowest of three (3) tenders received in accordance with specifications C11-2399 issued by the Purchasing Division and vendors tender, and be financed from Capital Funds Account No. CF409750010 upon the City taking ownership of the lands; and

b) That a contract satisfactory to the Corporate Counsel be entered into between the City and Lael Construction Co. Ltd., of Hamilton, Ontario; and

c) That the Mayor and City Clerk be authorized to execute the associated contract in a form satisfactory to the Law Department.

D. Lobo

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

From a financial perspective, the total cost for construction of the Multi-Purpose building including taxes is $159,644.00 and will be funded as follows:

Award of Contract for Construction of Multi-Purpose Building – Former CP Lands – Forest Avenue (PWT99017)

Account Number	Budget	Expenditures
CF409750010	$1,600,000.00	$159,644.00

There are no staffing implications.
The Law Department will be requested to prepare the necessary documents.

BACKGROUND:

Three (3) bids were received for construction of the Multi-Purpose building at CP Lands Park with the lowest acceptable bid submitted by Lael Construction Co. Ltd.

The following is a summary of bids received including G.S.T.:

Lael Construction Co. Ltd	$159,644.00
Bestco Construction	$177,271.18
TRP Construction	$184,724.80

Staff recommend award of contract to Lael Construction Co. Ltd. The closing date of sale of land from CP Rail to the City of Hamilton is July 8, 1999.

PSU:mlr

cc: Alderman, A. Horwath, Ward 2
Alderman, R. Corsini, Ward 2
A. Ross, General Manager, Finance
A. Leitch, General Manager, Transportation, Operation & Environment
J. Bruzzese, General Manager, Corporate Services
R. Roszell, Corporate Councel, Law Department
R. Chrystian, Manager of Parks

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 14
Author: Werner Plessl, Penny Ulbinas

REPORT TO: T. Agnello, Secretary
Parks & Recreation Committee

FROM: D. Lobo, Commissioner
Department of Public Works and Traffic

SUBJECT: **Formation of Task Force for Purpose of Investigating Future Skateboard Facilities (PWT99018)**

RECOMMENDATION:

a) That for the purposes of establishing future skateboard facilities in the City of Hamilton, a task force be established and comprised of two aldermen, representatives from Hamilton-Wentworth Regional Police, the Boards of Education, five members of the user groups (citizens at large); and,

b) That the City Clerk be authorized to advertise for the private sector citizen positions (users) in order that interviews may be completed and a task force established; and,

c) That staff be responsible for interviews and selection of citizen members; and,

d) That the task force investigate user needs, criteria for site selection, environmental impacts, design components, operational rules and regulations, public outreach; and,

e) That an inter-departmental staff team be formed to support the Task Force with representation from the Parks Division, Community Services and Law Department; and,

f) That a capital budget submission be submitted in the 1999-2008 capital budget; and,

Formation of Task Force for Purpose of Investigating Future Skateboard Facilities (PWT99018)

g) That the findings of the task force be submitted to the Parks and Recreation Committee.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

From a financial perspective, following the recommended process it is anticipated that sites will be identified for various sized facilities, indoor and outdoor. Costs will be reported once sites have been selected.

Capital upgrades together with cost recovery opportunities will be brought to Committee prior to any work commencing.

No additional staffing is required.

From a legal perspective the creation of additional skateboard facilities in the City of Hamilton could increase the City's liability. To reduce the City's liability, appropriate signage would be installed warning of the risks and indicating users are at their own risk. Any matters of a legal nature will be referred to the Law Department.

BACKGROUND:

At the Transport and Environment Committee meeting 1998 September 21 staff were asked to review the issue of skateboard and bikes on City sidewalks and evaluate this matter in as broad a context as possible.

Skateboarding is a legitimate sport requiring skill, courage and imagination. This user group requires an environment to practise, congregate and perform in. The City provides facilities for many sports i.e. baseball, soccer, hockey, bocce situated across the City but is lacking adequate skateboarding facilities.

Presently there exists two skateboard facilities in the City, one at Beasley Park and one at Mohawk Sports Park. These facilities are not meeting the current needs of the user population in Hamilton. A retrofit to Beasley and/or expansion to the Mohawk facility is an option but will only provide an interim solution to the needs of the community.

Formation of Task Force for Purpose of Investigating Future Skateboard Facilities (PWT99018)

The task force will look at providing alternatives to using public space such as sidewalks and streets and public plazas by offering facilities of various sizes, levels of experience, and various locations (indoor versus outdoor).

The task force will develop:

- criteria for site selection and design components based on the experience of other municipalities and user groups
- operational rules and regulations for use of the facilities
- public outreach and education programs
- methods of cost recovery and/or partnerships

Staff will review current City by-laws to determine whether amendments are required and bring any changes to the appropriate Standing Committee.

WJP:PSU:bg

cc: Alderman C. Collins, Chairman, Transport and Environment Committee
J. Bruzzese, General Manager – Corporate Services
A. Leitch, General Manager, Transportation, Operations and Environment
R. W. Chrystian, Manager of Parks
R. Fair, General Manager, Community Services
K. Duncliffe, Director of Culture & Recreation
R. Roszell, Corporate Counsel
W. J. Plessl, Co-ordinator of Park Development & Maintenance

CITY OF HAMILTON

- RECOMMENDATION –

DATE: 1999 June 14
Author: Lawrence Stasiuk

REPORT TO: T. Agnello, Secretary
Parks and Recreation Committee

FROM: D. Lobo, Commissioner
Department of Public Works and Traffic

SUBJECT: **Request for Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)**

RECOMMENDATION:

a) That the Commissioner of Public Works and Traffic be authorized to commence a design-build process for the design, fabrication and installation of a floating structure for the Desjardins Canal section of the Hamilton Harbour Waterfront Trail subject to the process being conducted in two stages as follows:

   i) a Request for Expressions of Interest (RFEI) with an invitation advertised across Canada and the United States, and secondly

   ii) a Request for Proposals to be invited from a short list of three to five vendors selected from those responding to the RFEI; and,

b) That after the RFEI submissions have been evaluated the Commissioner of Public Works and Traffic report back to Committee with a recommendation on proceeding with the RFP stage of the process taking into account budget requirements, specifications, schedule and other project components; and,

c) That the Director of Legal Services and Corporate Counsel and the Supervisor of Purchasing and Accounts Payable be requested to assist with the preparation and evaluation of the RFEI; and,

Request for Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

d) That the costs associated with this RFEI/RFP process be financed from Capital Account No.CF62975026 - Harbour Waterfront Trail – Phase I.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

In 1997, City Council approved a capital budget of $1,000,000. for the Hamilton Harbour Waterfront Trail. The overall cost of the project is estimated at $5.0 million with future partnerships identified as funding sources. To date, the project has received funding from the following sources:

City of Hamilton	$1,000,000.
Fish & Wildlife Habitat Restoration Project	$ 50,000.
Waterfront Regeneration Trust	$ 107,000.
Bay Area Restoration Council	$
Hamilton Region Nature Walk	$ 2,600.
Public at Large	$ 2,000.
	$1,161,600.

$3.8 million is still required to complete the project.

The estimate for the Desjardins Canal floating structure component of the Harbour Waterfront Trail is $1,000,000. for the structure, ramps at each end, concrete abutments and anchors, railings, electrical work, and site work. Funding is currently not in place for this item. Staff has applied to various partners for funding assistance and is currently waiting for their responses. Notwithstanding the current financial circumstances, staff is advocating commencement of this design-build process at this time in order to reduce overall processing time for receiving and evaluating project submissions following resolution of funding requirements.

Any matters of a legal nature will be referred to the Legal Services and Corporate Counsel Department.

Request for Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

BACKGROUND:

In 1998, the City of Hamilton purchased property from CN Rail and is finalizing purchases with the Corporation of the Town of Dundas, and the Royal Botanical Gardens. This will complete the City's assembly of land along the Stuart Street railway yard, the Desjardins Canal, and the Cootes Paradise shoreline for the City's proposed waterfront recreational trail.

The City of Hamilton is preparing for the construction of the Hamilton Harbour Waterfront Trail and fish and wildlife habitat enhancements. (see Map 1) The 2.4km – long paved trail along the shore from Bayfront Park to Princess Point, and across the Desjardins Canal will make the connection to the Lake Ontario Waterfront Trail in Burlington and the Desjardins Trail bordering Cootes Paradise. Special attention will be given to trail design to ensure universal accessibility. The expanded trail system will provide residents and tourists a focal point to observe significant natural areas, including Cootes Paradise, as well as, designated national historic sites such as Dundurn Castle and the Royal Botanical Gardens.

Opportunities to interpret heritage and cultural features will be implemented along the trail route. This trail project will allow residents and visitors alike to appreciate our past and look to the future as the City and its partners continue working on the principles of sustainability and enhancing our overall quality of life.

An opening ceremony for the Hamilton Harbour Waterfront Trail, scheduled for 2000 July 01, creates a grand opportunity for this "ambitious" city to re-connect its people to the water, and to serve as a catalyst for continued remediation of the harbour. The ceremony aims to bring neighbourhoods and residents together and connect this important link of our trail network to the Lake Ontario Trail, the world reowned Bruce Trail and the exciting TransCanada Trail project.

City staff has been working with a Project Advisory Group (PAG) for the planning and design of the waterfront trail. A list of PAG members is attached as Schedule '1'. Site preparation and trail construction will commence following receipt of the various approvals anticipated in 1999 with completion scheduled for May 2000, subject to funding and time available for construction.

Request for Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

A critical component of the trail is the link across the Desjardins Canal (see Map 2). The portion of the trail that crosses under the CNR bridge, the York Boulevard bridge (Upper Levels, T.B. McQuesten Bridge), the CPR bridge, and Highway 403 bridge, presents many challenges. PAG has considered many options for this link including use of a fixed structure over water, and alternate routes using stairs and tunnels. These were rejected for reasons of cost and/or function. The recommended solution is a floating concrete structure. (See Map 3)

Many constraints have lead to the approval of this option, including steep side slopes, the requirement not to impede storm water flow through the canal, the requirement not to have any impact on the concrete abutments supporting the bridges, the requirement to maintain a minimum of 6.0m (20 ft.) clear navigational channel, and the trail requirements to maintain a 6.0m (20 ft.) wide trail that supports service and emergency vehicles.

The City has retained the consulting firm of Environmental Water Resources Group Ltd. of Mississauga to study the hydraulics of the canal. They have recorded the findings of their study in a draft report titled Hamilton Harbour Waterfront Trail, Desjardins Canal, Hydraulic Analyses, dated 1999 April 23. In this report, the consultants have analysed the hydraulic impacts of the proposed Hamilton Harbour Waterfront Trail through the Desjardins Canal, using a floating concrete structure. They have studied the impacts from the storm water runoff for different intensities of storms ranging from a two-year storm through to a 100-year storm and a regional storm to determine the Desjardins Canal peak flow rates.

The Consultants conclude that the floating section of the trail should not increase Cootes Paradise water levels significantly during flood events.

If the City intends on completing the trail for May 2000, it is necessary to commence the RFP Process for the design, fabrication and installation of the floating structure, ramp, and related shore work as soon as possible. This lead-time is needed to complete all of the required tasks including obtaining the necessary permits and approvals from agencies having jurisdiction over the work. Given that funding for this and other trail components is not presently in place, the recommendation authorizes only the first step in this 2 step process that being the receipt and evaluation of Expressions of Interest from qualified firms. Proceeding to the next step would come after consideration by Committee of

financial matters and processing / scheduling issues relative to this overall project.

The design and fabrication of a concrete floating structure, and the anchoring system to shore can be achieved in a variety of ways. The hydraulic jump in the canal, identified in the hydraulic analysis report is a significant issue that requires specialized marine and civil engineering expertise. Because of these variables, staff is recommending that this component of the trail be treated as a design-build project and proposals be sought from qualified proponents.

City staff is aware of qualified companies in British Columbia and in the United States who can furnish all of the necessary expertise and resources to provide a complete design – build package. There may be other qualified companies who can do the work, therefore staff is recommending that this initial stage of the RFP process be advertised in national daily newspapers and construction trade newspapers in Canada and the United States.

The RFEI will be prepared by staff and include project and contractual requirements, and performance specifications. Staff is recommending that the RFEI process be step one of a two stage RFP process: more specifically, Stage 1 would be the Request for Expressions of Interest (RFEI) where proponents would be required to submit their statement of intent to prepare a full detailed proposal if selected for Stage 2, a description of the project team and information on their qualifications, experience and list of previous similar projects and references. At this stage, we would also request a brief outline of their approach and description of their floating structure, ramping and anchoring system.

Following a review of all submissions and a recommendation report to Committee, a short list of 3-5 proponents will be prepared and they will be invited to submit detailed proposals, including but not limited, to preliminary drawings, detailed cost breakdown, construction specifications, schedule for construction. These proposals shall be evaluated according to the evaluation criteria listed on Schedule 2. Once a front runner or leading proponent has been identified, it may be necessary to enter into negotiations to fine tune the proposal and make minor adjustments to meet the City's budget, performance specifications, schedules and/or contractual requirements. Proceeding to this second stage of the RFP process would be dependant on funding being approved for this component or identification of an outside funding source.

Request for Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

After a final contract offer has been negotiated in principle, a recommendation report will be brought forward to City Council for approval to award a contract.

LS:bg
Attchs.

cc: Alderman F. Eisenberger, Ward 5
Alderman B. Charters, Ward 6
Alderman T. Anderson, Ward 7
Mr. A. Leitch, General Manager, Transportation, Operations and Environment
Mr. R. Roszell, Corporate Counsel
Mr. W. J. Plessl, Co-ordinator, Park Development and Maintenance

Schedule '1'

The WEST HARBOUR WATERFRONT TRAIL PROJECT ADVISORY GROUP (PAG)

LIST OF MEMBERS

Bob Charters	City of Hamilton – Alderman
John Hall	Fish & Wildlife Habitat Restoration Project
Werner Plessl	City of Hamilton
Erik Hess	City of Hamilton
Penny Ulbinas	City of Hamilton
Bob Chrystian	City of Hamilton
Glynis Logue	City of Hamilton
Teresa Labuda	Halton Region Conservation Authority
David Gale	Halton Region Conservation Authority
Marilyn Baxter	Bay Area Restoration Council
Gil Simmons	Bay Area Restoration Council/Resident
Jeff Brookfield	Hamilton Harbour Commissioners
Tony Horvat	Hamilton Region Conservation Authority
David Sherlock	Rail Link
Orest Rojik	Canadian Pacific Railway
Rick Kirluk	Department of Fisheries and Oceans
Cathy Plosz	Regional Municipality of Hamilton-Wentworth
Gillian Booth	Ecological Services Group International Inc.
Trevor Friesen	Ecological Services Group International Inc.
Adam Carr	Canadian National Railway
Jim Roche	Leander Boat Club
John Fischer	Environment Canada
Rob Dobos	Environment Canada
Louise Knox	RAP Co-ordinator, Environment Canada
Ed Debruyn	Department of Fisheries and Oceans
Suzanne Belanger-Fontaine	Ministry of Environment
Al Beaucage	Canadian Coast Guard
Pieter Kuyntjes	Ministry of Transportation
Mark Runciman	Royal Botanical Gardens
Constable ---	Marine Unit

Schedule '2'

THE WEST HARBOUR WATERFRONT TRAIL
DESJARDINS CANAL FLOATING STRUCTURE

PROPOSAL EVALUATION CRITERIA

Item	Description	Value
Engineering Expertise	Qualifications and experience of team members in this type of work	10%
Floating Structure, Ramp and Anchoring System	Details and quality of all components, assessment of maintenance implications	40%
Construction/Installation Methodology and Experience	Details of their approach; list of general contractor and all sub-contractors, and project experience	10%
Prior Project Experience	List of prior projects, addresses, value and references	10%
Cost of the Project	Detailed breakdown for each item. Assessment of unit prices, and what is included and what is excluded	25%
Project Schedule - Design - Fabrication - Construction	Time breakdown for each stage of this project and type of resources allocated for each	3%
After Installation Service	Follow up program for two year period after installation	2%
		100%

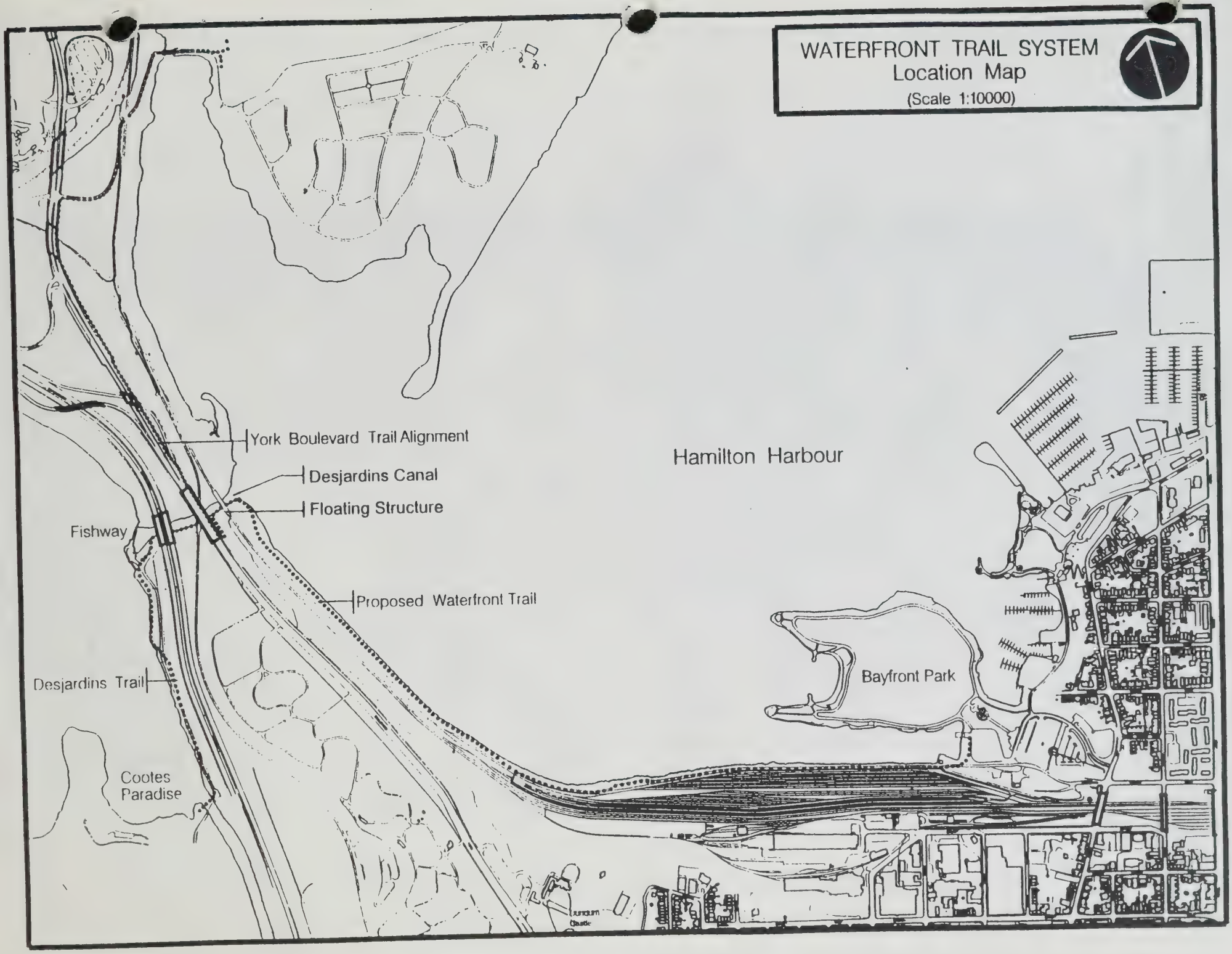
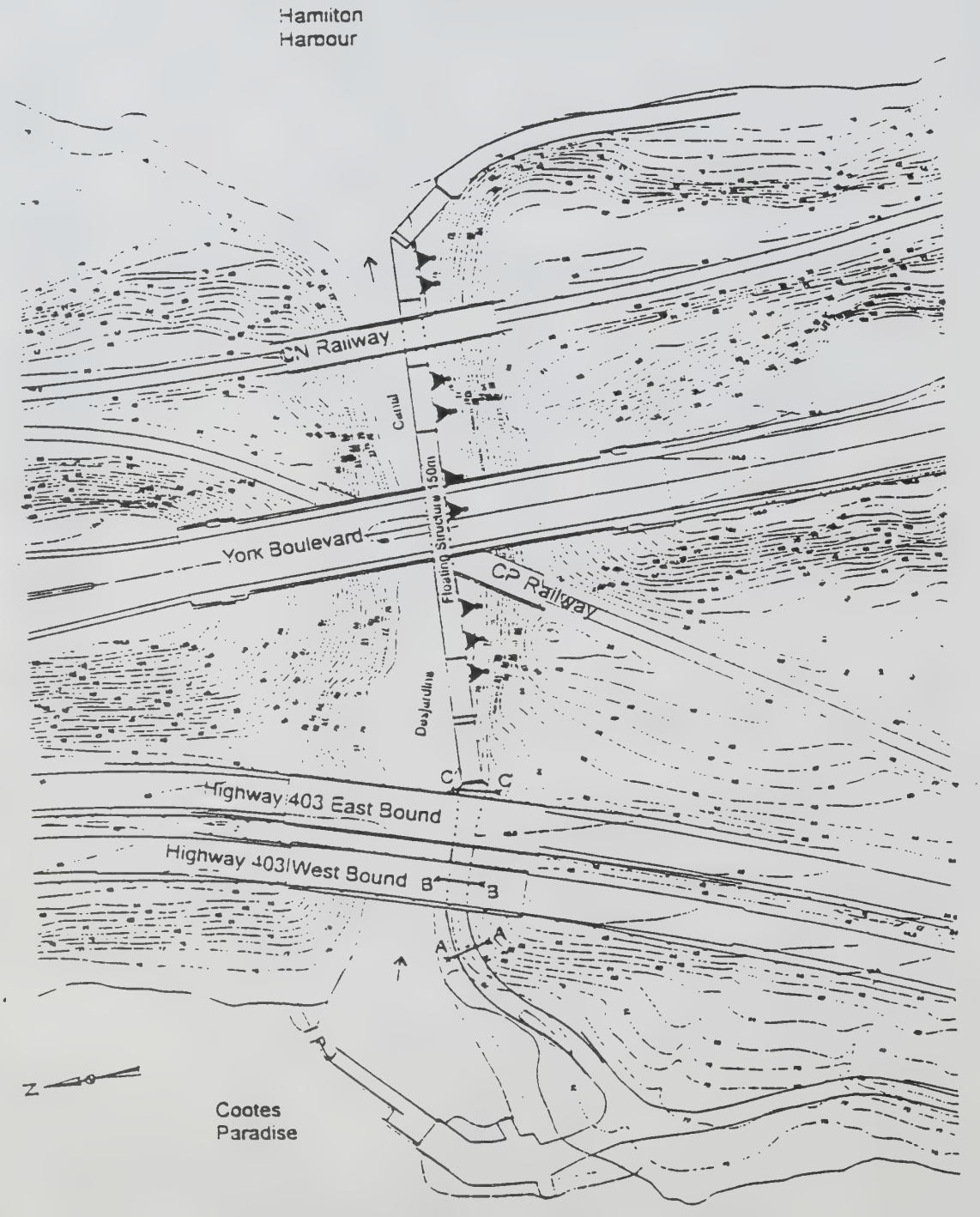
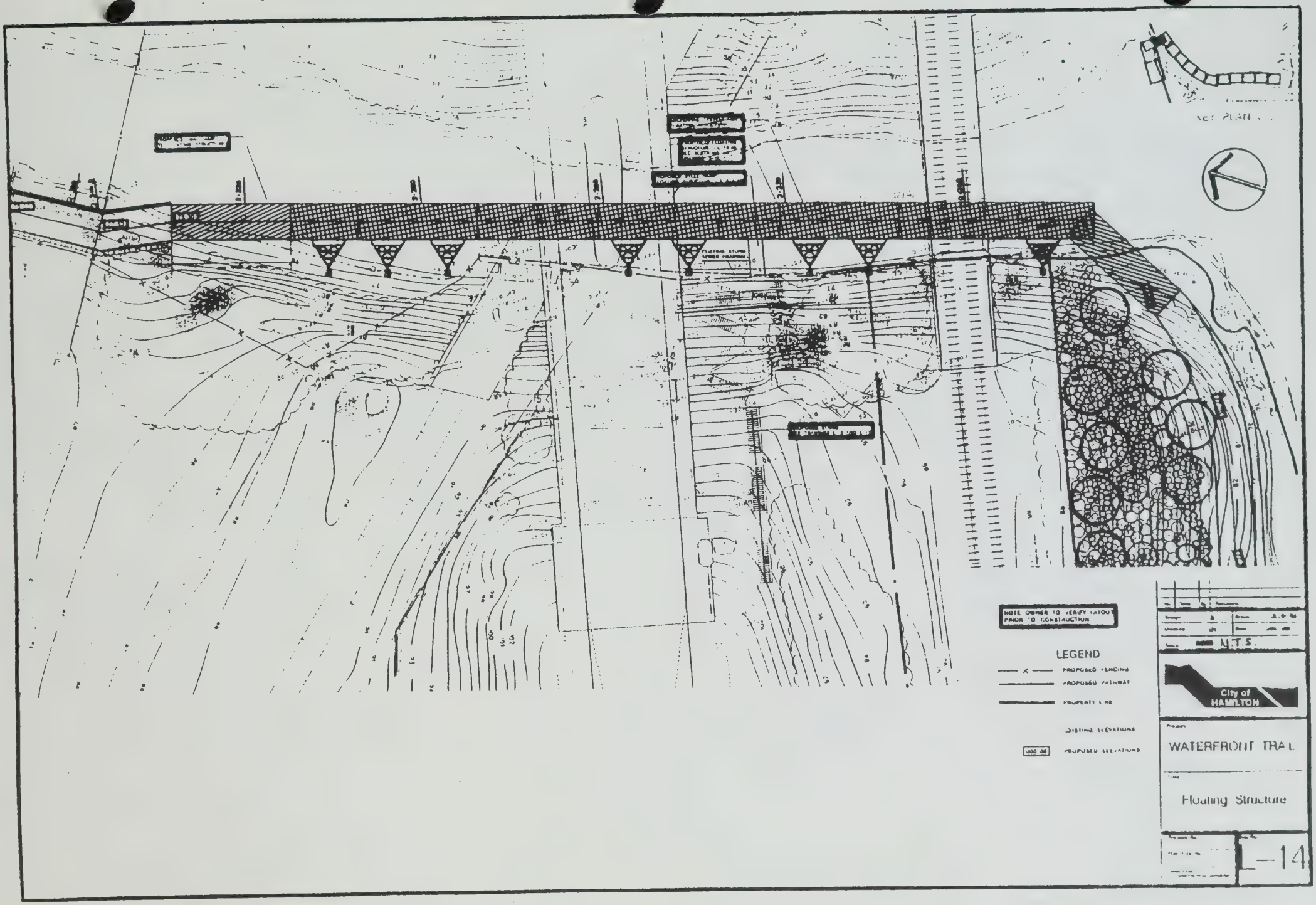

WATERFRONT TRAIL SYSTEM
Location Map
(Scale 1:10000)
York Boulevard Trail Alignment
Desjardins Canal
Floating Structure
Fishway
Proposed Waterfront Trail
Desjardins Trail
Cootes Paradise
Hamilton Harbour
Bayfront Park

Figure 3 - 2 Hamilton Harbour Waterfront Trail Desjardins Canal - Selected Alternative, Floating Structure Route



Map No.3


KEY PLAN
NOTE OWNER TO VERIFY LAYOUT PRIOR TO CONSTRUCTION
LEGEND
PROPOSED FENCING
PROPOSED PATHWAY
PROPERTY LINE
EXISTING ELEVATIONS
PROPOSED ELEVATIONS
N.T.S.
City of HAMILTON
WATERFRONT TRAIL
Floating Structure
L-14

PLANNING AND DEVELOPMENT COMMITTEE

BACKGROUND MATERIAL

13.

Office of the Municipal Clerk
Memorandum

TO: J. J. Schatz
Municipal Clerk
Office of the Municipal Clerk

FROM: Tina Agnello, Secretary
Planning and Development Committee

DATE: 1999 June 24

SUBJECT: **ZAC-99-07, 1221 Limeridge Road East**

The Planning and Development Committee at its meeting of June 23, 1999 referred the abovenoted report attached hereto, to the Committee of the Whole for consideration pending a public meeting by the Ward Aldermen.

cc. L. Coveyduck, General Manager, Community Planning and Development Division

TA

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1999 June 3
ZAC-99-07
Lisgar Neighbourhood

REPORT TO: Tina Agnello, Secretary
Planning and Development Committee

FROM: Lee Ann Coveyduck, M.C.I.P., R.P.P.
General Manager
Community Planning and Development Division

SUBJECT: Request for a change in zoning for lands located at 1221 Limeridge Road East

RECOMMENDATION:

A. That approval be given to **Zoning Application ZAC-99-07, 1221 Limeridge Inc. (c/o Joseph Kutlesa), owner**, for a change in zoning from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "DE-3" (Multiple Dwellings) District, modified, to permit a "Community and Residential Care Access Centre" containing residential care and short-term residential care facilities for the accommodation of a maximum of 24 and 16 residents of at least 65 years of age, respectively, and medical and associated commercial uses in a one (1) storey building, for lands located at 1221 Limeridge Road East, shown on the attached map marked as APPENDIX "A", on the following basis:

(i) That the subject lands be rezoned from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "DE-3" (Multiple Dwellings) District;

(ii) That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:

a) That notwithstanding Section 10C(1) of Zoning By-law No. 6593, only the following uses shall be permitted:

(i) a "Community and Residential Care Access Centre";

(ii) a commercial retail store with a maximum gross floor area of 207.0 m^2 shall be permitted;

(iii) a business identification sign that is wall sign of an occupancy or use, that complies with the following requirements:

1. No sign shall exceed 2.0 metres in height.

2. The total aggregate area of all signs shall not exceed 0.5 square metres for each 0.5 metres of exterior lineal face of the building.

3. Every sign shall be parallel to the wall to which it is affixed.

4. No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.

b) For the purpose of this by-law, a "Community and Residential Care Access Centre" shall mean a building in which residential care and short-term care facilities are provided in conjunction with medical offices and related services, subject to the following provisions:

(i) a Residential Care Facility for the accommodation of a maximum of 24 residents of at least 65 years of age;

(ii) a Short-Term Care Facility for the accommodation of a maximum of 16 residents of at least 65 years of age;

(iii) an accessory dining room which shall only be used in conjunction with the Residential Care and Short-Term Care Facilities; and,

(iv) offices for medical or dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore;

c) That notwithstanding Section 10C. (2) of Zoning By-law No. 6593, no building shall exceed one (1) storey in height;

d) That notwithstanding Section 10C. (3) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre", the following yards shall be provided and maintained:

(i) a minimum front yard depth of 4.5 m and an average depth of 5.2 m;

(ii) a minimum easterly side yard depth of 2.0 m and an average depth of 4.5 m;

(iii) a minimum westerly side yard depth of 3.8 m; and,

(iv) a minimum rear yard depth of 4.57 m.

e) That notwithstanding Section 10C. (5) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre" a maximum gross floor area of 2,449.90 m^2 shall be permitted, comprised of 1673.12 m^2 maximum gross floor area for the Residential Care and Short Term Care Facilities and 776.78 m^2 maximum gross floor area for the medical offices and commercial retail stores, including hallways and common amenity areas;

f) For the "Community and Residential Care Access Centre", an unlighted ground sign having an area of not more that 4.2 square metres and located not less that 2.0 m from any lot line shall be permitted;

g) That notwithstanding Section 2.(2)A.(xiiaa) of Zoning By-law No. 6593, a Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" comprised of residential and commercial uses;

h) That notwithstanding Section 2.(2)A.(xiiaaa), a Short-Term Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" jointly comprised of residential and commercial uses;

i) That Section 10C.(7) of Zoning By-law No. 6593 shall not apply to the subject lands;

j) That Section 18A.(1)(d) of Zoning By-law No. 6593 shall not apply to the subject lands;

k) That Section 18A. (14g) of Zoning By-law No. 6593 shall not apply to the existing parking area;

(v) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Section S - , and that the subject lands on Zoning District map E-59A be notated as S - ;

(vi) That the City/Regional Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A for presentation to City Council;

(vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

(viii) That upon finalization of the Zoning By-law, the subject lands be redesignated from "Commercial" to "Commercial and Residential" on the approved Lisgar Neighbourhood Plan.

EXPLANATORY NOTE:

The purpose of the proposed by-law is to provide for changes in zoning from "G" (Neighbourhood Shopping Centre, etc.) District modified to "DE-3" (Multiple Dwellings) District, modified, for lands located at 1221 Limeridge Road East, shown on the attached map marked as APPENDIX "A".

The effect of the By-law is to permit the development of the subject lands for a "Community and Residential Care Access Centre" which includes a residential and short-term care facility for 24 and 16 residents of at least 65 years of age, respectively and medical and associated commercial uses in a one story building..

In addition, the By-law provides for the following special variances:

Use

- To restrict the height of the "Community and Residential Care Access Centre" to one (1) storey in height whereas the provisions of the Zoning By-law permit a maximum height of 3 storeys;

- To permit a maximum gross floor area of 2,449.90 m^2, comprised of 1,673.12 m^2 maximum gross floor area for the Residential Care and Short Term Care Facilities and 776.78 m^2 maximum gross floor area for the medical offices and commercial retail stores (including hallways and common amenity areas) whereas the provisions of the Zoning By-law utilizes a floor area ratio factor of 0.9 (6,293 m^2);

- For the purposes of the by-law, a "Community and Residential Care Access Centre" is defined as being a building containing both residential and commercial uses, subject to the following restrictions:

    (i) the commercial uses will be restricted to a commercial retail store with a maximum gross floor area of 207.0 m^2, offices for medical or dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore;

    (ii) the Residential Care Facility will be restricted to a maximum size of 24 residents who are at least 65 years of age. The Short-Term Care component will be restricted in size to a maximum capacity of 16 residents who are at least 65 years of age; and,

(iii) a dining room, used in conjunction with the residential care and short-term care facilities shall be permitted.

Yards

- To permit a minimum front yard depth of 4.5 m and an average depth of 5.2 m, whereas the provisions of the Zoning By-law require a minimum front yard setback of 6.0 m;

- To permit a minimum easterly side yard of 2.0 m and an average depth of 4.5 m whereas the provisions of the Zoning By-law require a minimum side yard of 4.62 m;

- To permit a minimum westerly side yard of 3.8 m whereas the provisions of the Zoning By-law require a minimum side yard of 4.62 m;

- To permit a minimum rear yard of 4.57 m whereas the provisions of the Zoning By-law require a minimum rear yard of 5.9 m;

Signs

- To permit business identification signage for the "Community and Residential Care Access Centre" subject to the sign being an unlighted ground sign with a maximum area of 4.2 square metres and requires that the sign be setback a minimum of 2.0 m from any lot line and commercial business identification wall signs in accordance with the existing "G" District zoning.

Parking and Loading Space

- To eliminate the required loading space for the medical offices whereas one (1) loading space at 9.0 m x 3.7 m x 4.3 m is required;

- To permit the existing parking area to be located within the required front yard whereas the By-law does not permit parking in the required front yard of a residential district;

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As required by the Planning Act, Council shall hold at least one public meeting to consider an application for a Zoning By-law Amendment.

BACKGROUND:

Proposal

- The applicant has submitted an application for a change in zoning from "G" (Neighbourhood Shopping Centre, etc.) District to "DE-3" (Multiple Dwellings) District, modified, to permit a "Community and Residential Care Access Centre" containing residential care and short-term care facilities for the accommodation of a maximum of 24 and 16 residents of at least 65 years of age, respectively, and medical and associated commercial uses in a one storey building, for lands located at 1221 Limeridge Road East, shown on the attached map marked as APPENDIX "A". The existing building is currently a one (1) storey building used for commercial purposes; the parking area is located along Limeridge Road. It is the applicant's intention to renovate the existing building and add a 744.0 m^2 addition to accommodate the new uses (See Appendix "B"). The parking area will remain in front of the existing building and a passenger vehicle drop off lane will be created along the rear of the existing building along Locheed Drive.

APPLICANT:

1221 Limeridge Inc. (c/o Joseph Kutlesa).

LOT SIZE AND AREA:

- 81.53 m of frontage along Limeridge Road East;
- a lot depth 61.09 m; and
- a total lot area of 5568.3 m^2

LAND USE AND ZONING:

	Existing Land Use	Existing Zoning
Subject Lands	Commercial	"G" (Neighbourhood Shopping Centre, etc.) District modified
Surrounding Land Use		
To the north	Single Family	"C" (Urban Protected Residential) District modified and "D" (Urban

to the south	Townhouses	"RT-10" (Townhouse) District
to the west	Single Family Dwellings	"C" (Urban Protected Residential) District
to the east	Single Family	"C" (Urban Protected Residential, etc.) district and "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, modified

OFFICIAL PLAN:

The subject lands are designated "COMMERCIAL" on Schedule "A" of the Official Plan. The proposal is for a mixed use building consisting of a residential care and short-term care facility, medical offices and related commercial uses. The proposed "Community and Residential Care Access Centre" is commercial in nature with a residential component. However, residential uses are permitted in a "Commercial" designations. The proposal complies with the Official Plan.

NEIGHBOURHOOD PLAN:

The subject lands are designated "Commercial" in the approved Lisgar Neighbourhood Plan. If approved, a redesignation from "Commercial" to "Commercial and Residential" is required.

COMMENTS RECEIVED:

- The following Departments and Agencies have no comment or objections:

  - Hamilton Region Conservation Authority;
  - Traffic Division, Department of Public Works and Traffic; and,
  - Union Gas.

- The Community Planning and Development Division - Building Department provided the following comments:

  "1. The front yard has been previously established as Limeridge Road East and the comments are based on this.

  2. The yard requirements for the proposed building are based upon a calculation. Please note that the front yard of this lot abuts a "C" District and unless the front yard calculation exceeds 6.0m, the minimum required front yard shall be 6.0m. The proposed 4.5m front yard does not conform. Insufficient information submitted to determine compliance with all other yards.

3. A residential care facility and a short term care facility, as defined, are required to be in fully detached buildings and the maximum number of residents permitted in each is six (6).

4. No floor plans submitted to show the uses of individual rooms.

5. The proposed medical offices and other commercial uses including the existing convenience store are not permitted in the proposed "DE-3" District. Please indicate the proposed use of the gallery.

6. The minimum required landscaped area is 25% of the area of the lot.

7. One (1) 9.0m x 3.7m x 4.3m loading space is required. No loading space shown.

8. Every parking space and loading space shall be accessible at all times and the required loading space shall be unobstructed and freely and readily accessible from within the lot without moving a vehicle on the lot.

9. No part of the parking area shall be located in the front yard. The parking area abutting Limeridge Road is located in the required front yard and is Nato permitted.

10. Please indicate the proposed use of the vehicle turn-around located off of Locheed Drive."

Further to the above-mentioned comments, the Community Planning and Development Division - Building Department Building has advised:-

"1. Based upon the dimensions submitted and a building height of 3.75, the following minimum setbacks are required:

Front Yard (Limeridge Road)	- 6.0 m
Side Yard (Street)	- 4.62 m
Side Yard (Interior)	- 4.62 m
Rear Yard	- 5.9 m

2. The designer shall ensure that the fire access route conforms to Secton 3.2.5 of the Ontario Building Code.

3. Signs are not permittted."

- The Community Planning and Development Division (Development Engineering Section) have advised that:

"There are public watermains and separate storm and sanitary sewers available to service the subject lands.

1. According to our records the road allowance widenings on Lennox Street, Limeridge Road East and the daylight triangle were previously acquired through the registration of Plans 62M-89 and 62M-194. Locheed Drive is also established at 20.12m. Therefore we do not anticipate any further road allowance widenings at this time.

2. We have the following comments on the preliminary site plan submitted:

   i) We require 5m by 5m visibility triangles between the accesses and the road allowance limits in which the maximum height of any object or mature vegetation is not to exceed 0.60m above the corresponding perpendicular centreline elevation of the adjacent streets. The site plan should be revised accordingly.

   ii) Comments from the Gas Utility with respect to landscaping over their easement should be considered.

   iii) Any landscaping within the adjacent road allowances, other than sod or annual flowers, requires an Encroachment Agreement with the City of Hamilton. The height of the vegetation proposed must also conform to the same criteria used for visibility triangles.

   iv) The proposed directional signs for the access on Locheed Drive must be covered under the Approach Approvals from the Traffic Division and should conform to the standard signing used in the Ontario Manual of Uniform Traffic Control Devices.

   v) Any other works which may occur within the adjacent road allowances must conform to the City of Hamilton Streets By-law.

   vi) More details comments on grading, access, landscaping, etc. will be provided at such time as this development is reviewed through the site plan approval process.

COMMENTS:

1. The proposal does not conflict with the intent of the Official Plan.

2. The approved Lisgar Neighbourhood Plan designates the subject lands as "Commercial". If approved, a neighbourhood plan amendment is

required to redesignate the lands from "Commercial" to "Commercial and Residential", upon finalization of the implementing Zoning By-law.

3. The proposed "Community and Residential Care Access Centre" has merit and can be supported for the following reasons:

   (i) the "Community and Residential Care Access Centre" will provide residential care and short-term care facilities and medical services, including patient care, assessment and uptake, to the communities of the Hamilton East;

   (ii) it is situated on a major arterial road; and,

   (ii) it would be compatible with and complementary to the abutting and planned residential and commercial uses in the surrounding area.

4. Based upon the proposal and the preliminary site plan submitted for a "Community and Residential Care Access Centre", the By-law will:

Use

- Restrict the height of the "Community and Residential Care Access Centre" to one (1) storey in height, as proposed, whereas the provisions of the Zoning By-law permit a maximum height of 3 storeys.

- Permit a maximum gross floor area of 2,449.90 m^2, of which comprised of 1673.12 m^2 maximum gross floor area for the Residential Care and Short Term Care Facilities and 776.78 m^2 maximum gross floor area for the medical offices and commercial retail stores, including hallways and common amenity areas whereas the provisions of the Zoning By-law utilizes a floor area ratio factor of 0.9 (6,293 m^2).

- For the purposes of the by-law, a "Community and Residential Care Access Centre" is defined as a building containing both residential and commercial uses, subject to the following restrictions:

  (i) The Residential Care Facility will be restricted to a maximum capacity of 24 residents who are at least 65 years of age. The Short-term Residential Care component will be restricted in size to a maximum capacity of 16 residents who are at least 65 years of age;

  (ii) a dining room, used in conjunction with the residential and short term care facilities shall be permitted; and,

  (iii) The commercial uses will be restricted to a commercial retail store having a maximum gross floor area of 207.0 m^2, offices for medical or

dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore;

Yards

- Permit a minimum front yard setback of 4.5 m and an average depth of 5.2 m, as proposed, whereas the provisions of the Zoning By-law require a minimum front yard setback of 6.0 m. The proposed front yard setback varies from 6.0 m to 4.5 m minimum for an average setback of 5.2 m. The residential district ("C" District), immediately to the east, requires a 6.0 m minimum. The proposed gradation for the front yard is in keeping with the established yards.

- Permit a minimum easterly side yard of 2.0 m and an average depth of 4.5 m whereas the provisions of the Zoning By-law require a minimum side yard of 4.62 m. The proposed side yard setback will actually vary from 6.55 m maximum to 2.0 m minimum for an average setback of 4.5 m. The residential district ("C" – District), immediately to the east, requires a 1.2 m minimum. The proposed gradation for the side yard is in keeping with the established side yards immediately to the east.

- Permit a minimum westerly side yard of 3.8 m whereas the provisions of the Zoning By-law require a minimum side yard of 4.62 m. This variance is necessary to recognize the westerly side yard setback of the existing building.

- Permit a minimum rear yard of 4.57 m whereas the provisions of the Zoning By-law require a minimum rear yard of 5.9 m. The variance is necessary to recognize the northerly rear yard setback of the existing building.

Signs

- Permit business identification signage for the "Community and Residential Care Access Centre" subject to the sign being an unlighted ground sign with a maximum area of 4.2 square metres and requires that the sign be setback a minimum of 2.0 m from any lot line and commercial business identification wall signs in accordance with the existing "G" District zoning.

Parking and Loading Space

- Eliminate the required loading space for the medical offices whereas one (1) loading space at 9.0 m x 3.7 m x 4.3 m is required. Although a loading space has not been officially designated, loading and unloading will occur in front of the building within the 6.0 m manoeuvring aisle of the existing parking area. The Department of Public Works and Traffic support the variance and concur

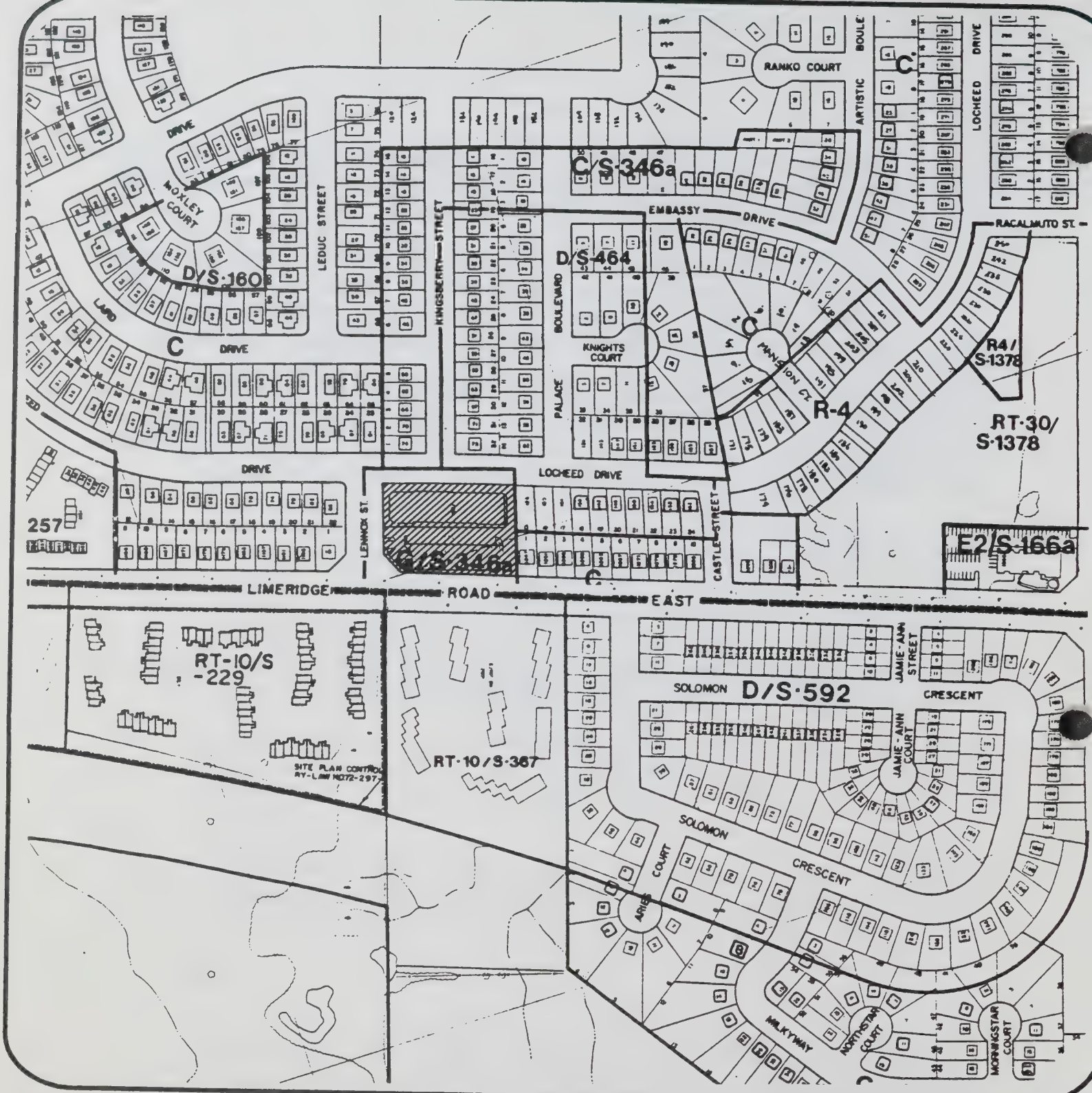
The Department of Public Works and Traffic support the variance and concur with loading and unloading activity occurring within the existing parking area, since it will not affect the operation of the parking area.

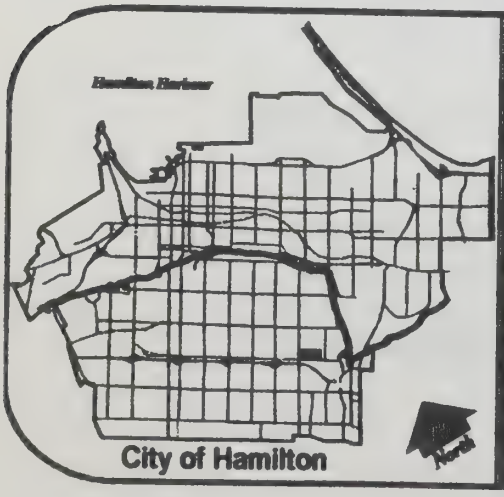
- Permit the existing parking area to be located within the required front yard whereas the By-law does not permit parking in the required front yard of a residential district. This variance is necessary to recognize the existing parking lot that was developed under the current "G" District regulations.

5. The "DE-3" District is subject to Site Plan Control. Accordingly, matters such as grading, drainage, landscaping, fencing, building design, orientation and driveway access, etc. will be further reviewed at the site plan control stage of development.

CONCLUSION:

Based on the foregoing, the application for a "Community and Residential Access Care Facility" and related commercial uses can be supported.





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

Site of Application

Change in zoning :-

From "G" (Neighbourhood Shopping Centre, etc.) District to "DE-3" (Multiple Dwellings) District, modifed

Reference file:	ZAC-99 -07
Scale	Not to Scale
Date	March,1999
Technician:	FAB

APPENDIX A

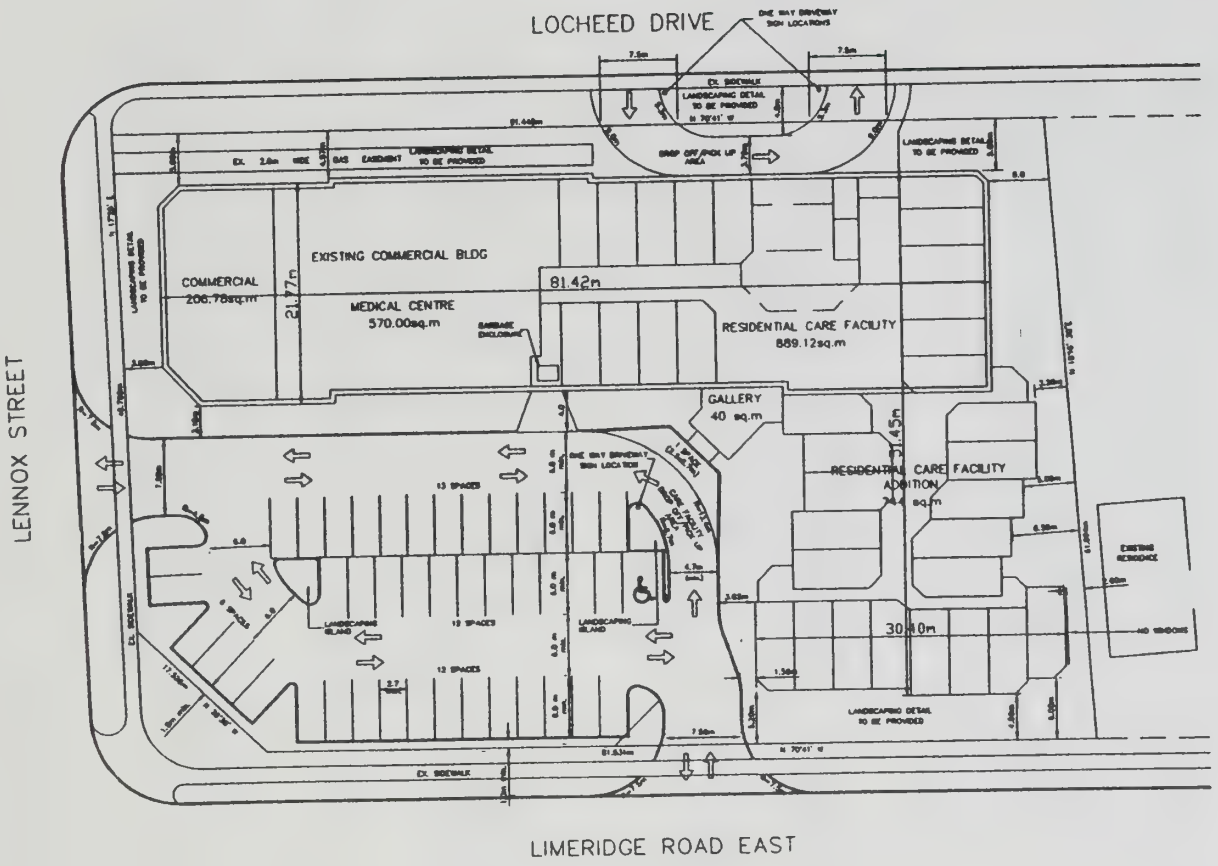
EASTMOUNT COMMUNITY HEALTH CENTRE



DEVELOPMENT DETAILS

	REQUIRED	PROPOSED
TOTAL LOT AREA	4,200 sq.m	5000 sq.m
MIN. FRONT YARD m	6.0m	4.5m
MIN. FRONT YARD S.	4.5m	4.5m
MIN. SIDE YARD E.	4.5m	2.0m
MIN. SIDE YARD W.	3.0m	3.0m
LANDSCAPED AREA	1,260.71 sq.m	1,404.67 sq.m
MAX. GROSS FLOOR AREA	MAX. 2000 ALLOWED	1460
PARKING		
COMMERCIAL	8	0
MEDICAL	30	30
CARE FACILITY	14	14
TOTAL	44	44

NOTE
AVERAGE LANDSCAPING STRIP AS PER AMENDED ZONING BY-LAW NO.6593.



NO.	DATE	BY	REVISIONS
DESIGN	BMP	CHK'D	BH
DRAWN	BMP	CHK'D	BH

DATE: MAR. 19
SCALE: 1:200

APPROVALS

APPROVED ..... DATE: .....

PLANNING & ENGINEERING INITIATIVES LTD.

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

EASTMOUNT COMMUNITY HEALTH CENTRE
1221 LIMERIDGE ROAD EAST

PRELIMINARY SITE PLAN

PROJECT MP599 | 1 - 1

APPENDIX R

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 18 June, 1999
(PLC-99-06)
Jerome Neighbourhood

REPORT TO: Tina Agnello, Secretary
Planning and Development Committee

FROM: Lee Ann Coveyduck
General Manager, Community Planning and Development Division

SUBJECT: Application to Remove Part-Lot Control – Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan 62M-872 "Effort Gardens, Phase 1" (PDC 99034)

RECOMMENDATION:

A. That approval be given to **Part Lot Control Application 99-06, Hampshire Properties Inc., owner**, to remove part-lot control for Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, for lands fronting on Theodore Drive, Bridgette Drive, and Benjamin Drive, for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix "A";

B. That the attached by-law, marked as Appendix "B", to remove part lot control from Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, be enacted by Council;

C. That the exempting by-law be restricted to a 1 year effective time period to expire on July 1, 2000;

D. That following the enactment of this by-law, the Director, Land Development, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

Guy Papalia
for LAC

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As required by the Planning Act, Council may pass a by-law for exemption from part-lot control for the purposes of creating maintenance easements for zero-lot line single family dwellings within a registered plan of subdivision.

BACKGROUND:

Proposal

The applicant, Hampshire Properties Inc., is proposing to create maintenance easements for Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872. The maintenance easements are required for the zero-lot line single family dwellings in accordance with the provisions of the "R-4" District and the City of Hamilton subdivision agreement.

Location

The subject lands are located north of Stone Church Road East, east of Upper James Street and south of Chipman Avenue and front onto Theodore Drive, Bridgette Drive and Benjamin Drive, in the Jerome Neighbourhood (see Appendix "A").

CIRCULATION COMMENTS:

- The Traffic Division, Department of Public Works and Traffic advised that they have no comment with respect to the application.

- The Regional Environment Division advised of the following:

  "The purpose of this application is to establish maintenance easements for the subject lots, which is a requirement of the City's Subdivision Agreement for "Effort Gardens, Phase 1."

COMMENTS:

1. Removal of "part-lot" control is a mechanism provided for under the Planning Act to permit minor division of land. This provision eliminates the need to obtain the approval by the Committee of Adjustment for each individual parcel of land, thereby reducing the overall administrative process required to obtain the same objective. The mechanism is exercised by municipalities by registering a by-law in the Land Titles offices. Part lot control can only be used for lands within a registered plan of subdivision. In addition, Section 50(7.3) of the Planning Act, allows for an expiration date to be described in the part-lot control by-law, thereby eliminating the need to repeal said by-law. Under Section 50(7.4), Council may grant an extension before the expiration of the By-law if needed without the approval of the Minister. In this regard, the exempting by-law should be restricted to a 1 year effective time period to expire on July 1, 2000.

2. The attached by-law to remove "part-lot" control has been prepared in a form satisfactory to the City Solicitor.

CONCLUSION:

Based on the foregoing, the request to remove part-lot control can be supported.

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 99 —

To Remove
Land within the "Effort Gardens, Phase 1" Subdivision, Plan 62M-872
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** – Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** – A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** – An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** – A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** – The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** – The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

   Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan Number 62M-872, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by the Director, Development Department, Community Planning and Development Division.

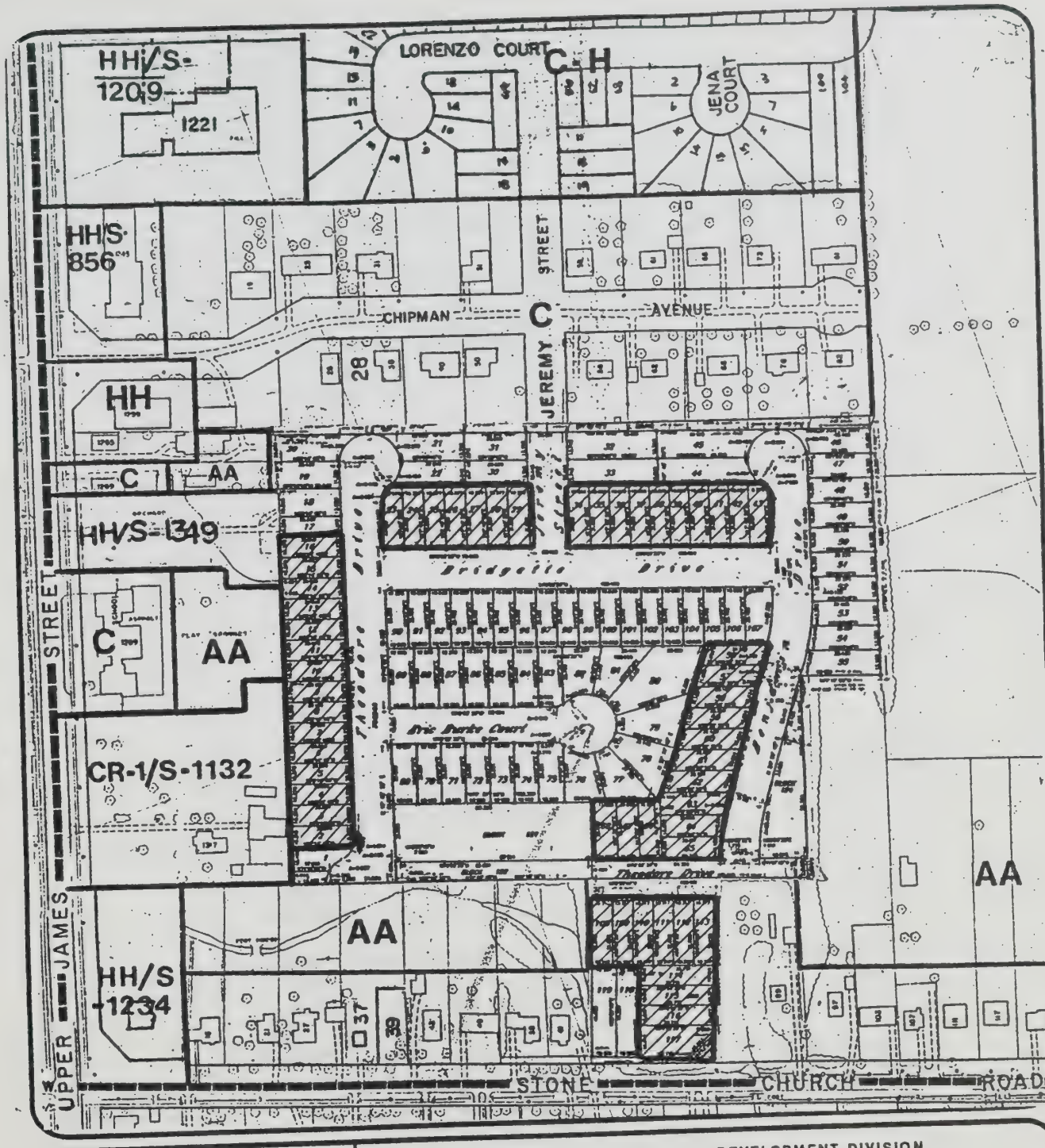
   (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

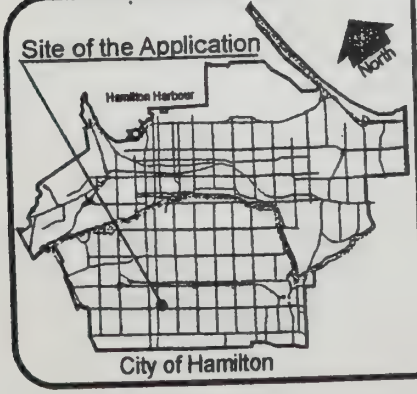
   (c) This By-law shall expire on July 1, 2000.

PASSED this day of A.D. 1999.

Municipal Clerk Mayor

Hampshire Poroperties Inc., owner
(1999) R.P.D.C. ., June 26
PLC-99-06





COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

Subject Lands

Reference file:	**PLC-99-06**
Scale	**Not to Scale**
Date	**June,1999**
Technician:	**Jsims**

APPENDIX 'A'

15(a)

Bill No. C-37

The Corporation of the City of Hamilton

BY-LAW NO. 99 —

To Remove
Land within the "Effort Gardens, Phase 1" Subdivision, Plan 62M-872
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** – Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** – A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** – An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** – A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** – The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** – The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

   Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan Number 62M-872, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by the Director, Development Department, Community Planning and Development Division.

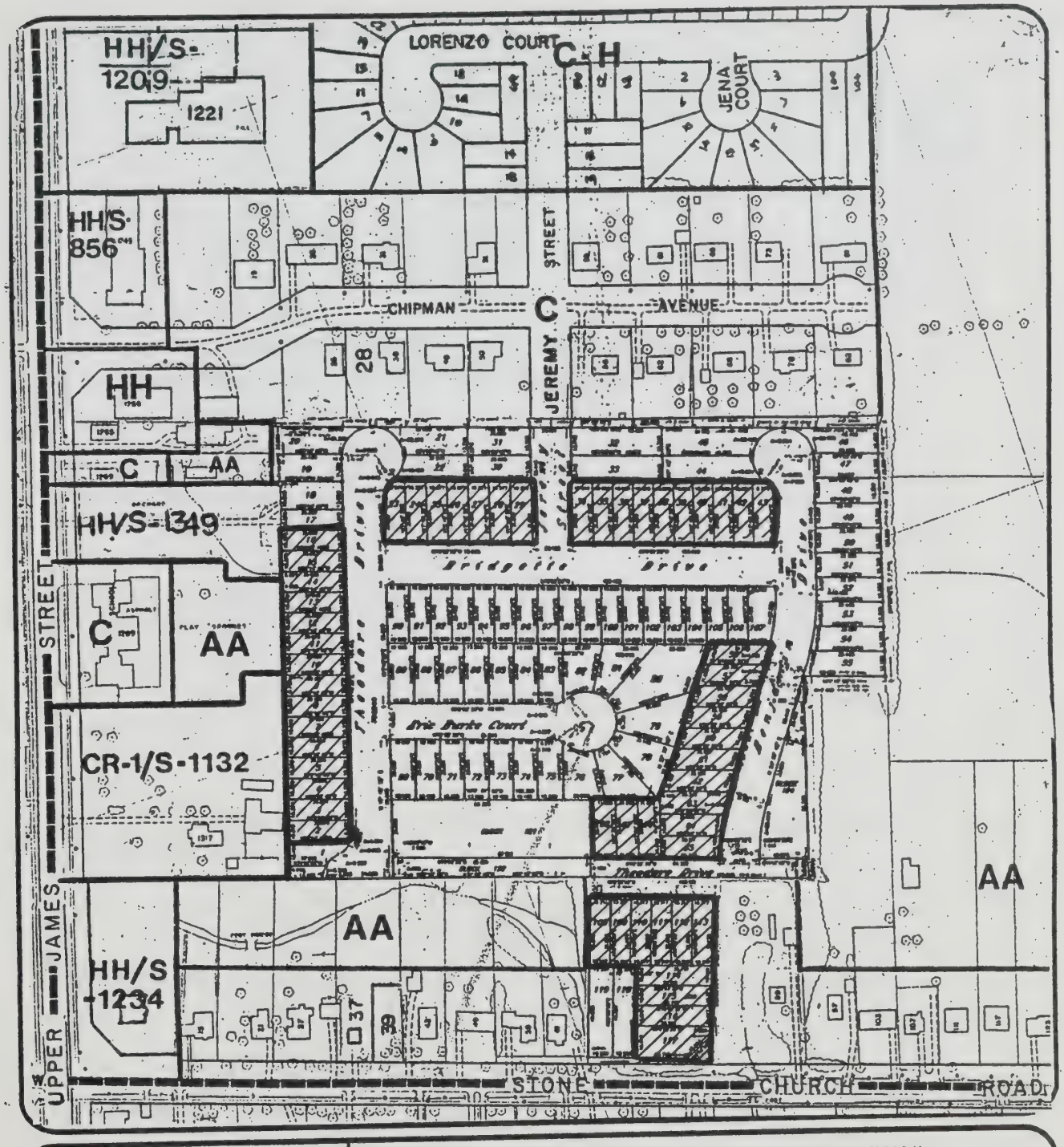
   (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

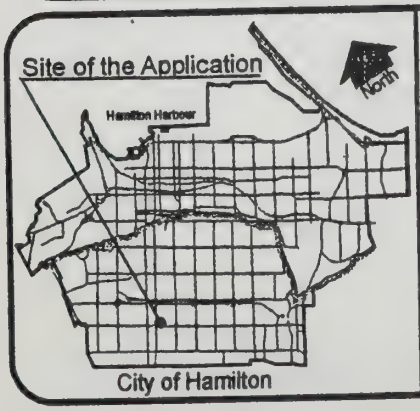
   (c) This By-law shall expire on July 1, 2000.

PASSED this day of A.D. 1999.

Municipal Clerk Mayor

Hampshire Poroperties Inc., owner
(1999) R.P.D.C. ., June 26
PLC-99-06





COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

Subject Lands

Reference file:	PLC-99-06
Scale	Not to Scale
Date	June,1999
Technician:	Jsims

APPENDIX 'A'

15(b)

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE SOUTH SIDE OF LOCONDER DRIVE BETWEEN UPPER GAGE AVENUE AND QUEEN VICTORIA DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "R-4" – 'H' (Small Lot Single Family Dwelling – Holding) District to "R-4" (Small Lot Single Family Dwelling) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "R-4" (Small Lot Single Family Dwelling) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

(a) notwithstanding Section 9A.(2)(b) of Zoning By-law No. 6593, a single family dwelling shall provide and maintain the following setbacks:

(i) 4.4 metres from the northerly lot line;
(ii) 1.2 metres from the southerly lot line;
(iii) 6.0 metres from the westerly lot line;
(iv) 15.7 metres from the easterly lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1428.

5. Sheet No. E-49B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1428.

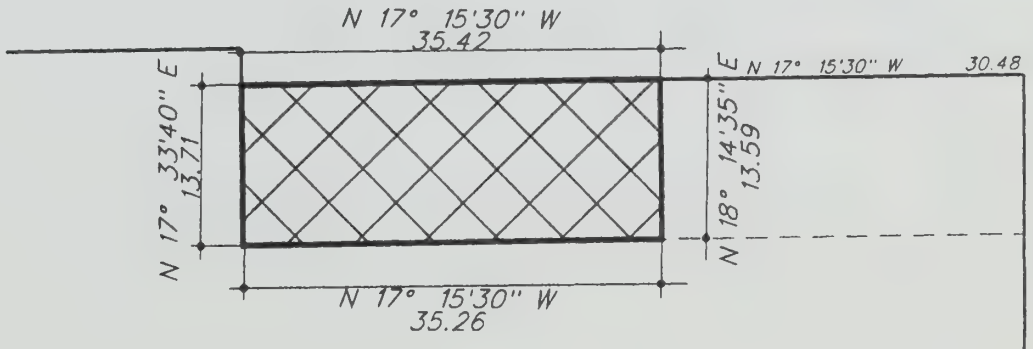
6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 6th day of July A.D. 1999

MUNICIPAL CLERK MAYOR

(1999) 13 R.P.D.C. 7, June 29
Hamilton Habitat for Humanity, Owner
ZAC-99-22

LOCONDER DRIVE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-.....
Passed the ..... day of ....., 1999.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of By-Law No. 99-____

to Amend By-Law No. 6593

Community Planning and Development Division

Legend

Change in zoning from:

"R-4" - 'H' (Small Lot Single Family Dwelling - Holding) District to "R-4" (Small Lot Single Family Dwelling) District, modified

North	Scale	Reference File No.
	NOT TO SCALE	ZA-99-22
	Date	Drawn By
	June, 1999	B. B.

FINANCE AND ADMINISTRATION COMMITTEE

BACKGROUND MATERIAL

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 9
99C-58 V. DiPietro

REPORT TO: Mr. J. J. Schatz, Secretary
Committee of the Whole

FROM: James P. Bruzzese
General Manager, Corporate Services

SUBJECT: Declaration of Surplus Property – 11/19 Rebecca Street, Hamilton (CS99008)

RECOMMENDATION:

(a) That the property known as 11-19 Rebecca Street, Hamilton be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

(b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

James P. Bruzzese

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 to be declared surplus prior to sale.

Effective January 1, 1995 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On February 14, 1995 City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Real Property Sales Procedural By-law No. 95-049. Section 5(a) of this by-law declares that the "Real Property of the City shall not be sold unless it is surplus to the requirements of the City".

The subject property is a four storey 38,400 square foot commercial/office building on a 14,370 square foot "I – Central Business" zoned lot.

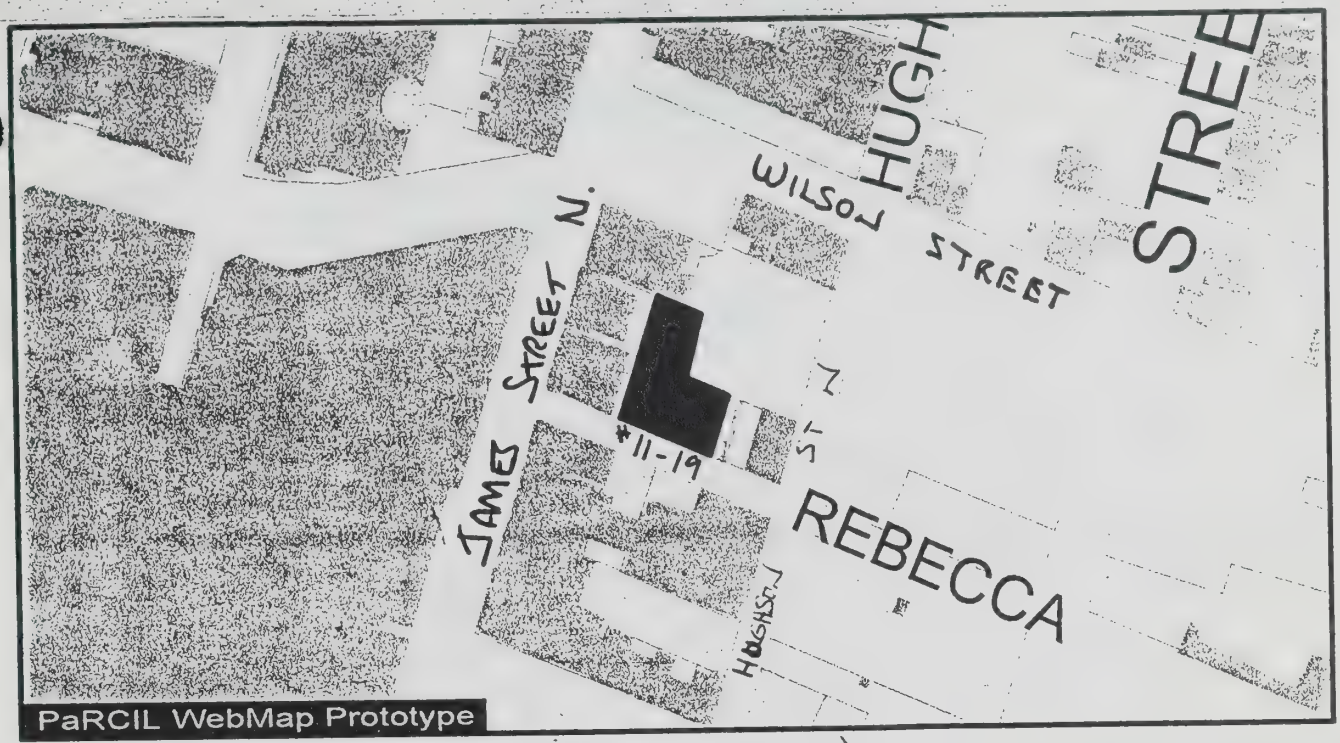
The City of Hamilton acquired this property through the Property Tax Arrears Sale Procedure. An amount in excess of $527,000 was owed to the City of Hamilton when the City took title to the lands under Notice of Vesting VM245058 dated May 14, 1999.

This property was circulated to all City and Regional departments and there has been no declared municipal interest.

Real Estate, Legal Services Section has received a number of inquiries from agents and developers regarding the purchase of this property. Therefore, we recommend that the subject now be put forward as a surplus property.

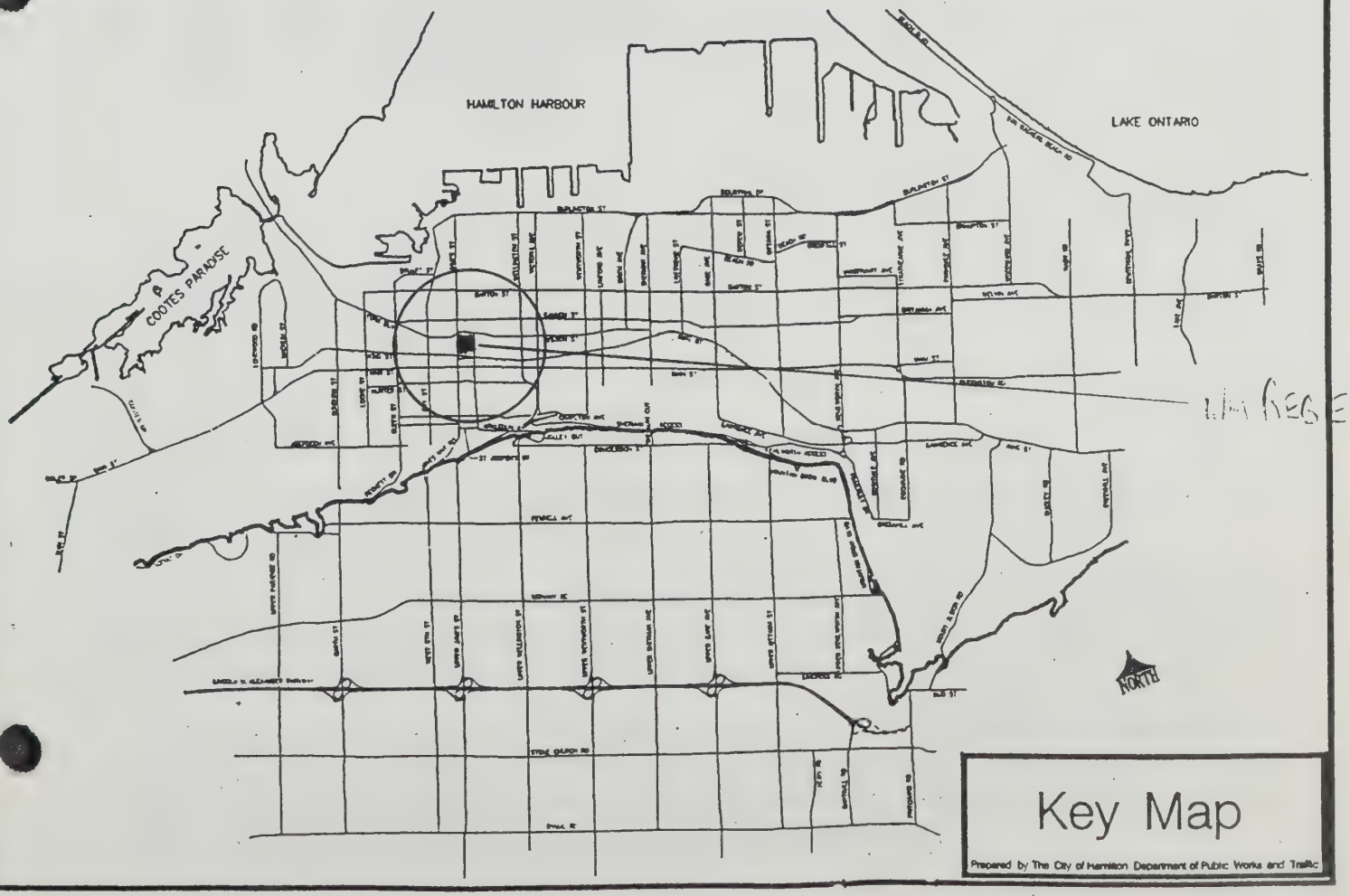
VDP/nw

c.c. Alderman A. Horwath, Alderman, Ward 2
Alderman R. Corsini, Alderman, Ward 2
R. C. Roszell, Corporate Counsel, Legal Services Section
Attention: H. Vastis
K. M. Lau, Manager of Surveys, Roads Division



Location Plan

Prepared by The City of Hamilton Department of Public Works and Traffic



Key Map

Prepared by The City of Hamilton Department of Public Works and Traffic

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 16
99C-67 R. Hayes

REPORT TO: Mr. J. J. Schatz, Secretary
Committee of the Whole

FROM: James P. Bruzzese
General Manager, Corporate Services

SUBJECT: Declaration of Surplus Property at 172 Catharine Street North (Assessment Roll Number 02 01560 2770) (CS99010)

RECOMMENDATION:

(a) That the property at the rear of 172 Catharine Street North with a width of 4.42 metres (14.5 feet) more or less, by a depth of 25.6 metres (84 feet) more or less, also known as 172 Catharine Street North, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

(b) That Real Estate, Legal Services Section, be authorized and directed to negotiate the sale of this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

James P. Bruzzese
General Manager, Corporate Services

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

By-law No. 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 to be declared surplus prior to sale.

Effective January 1, 1995, the *Municipal Act* was amended by the *Planning and Municipal Statute Law Amendment Act* requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On February 14, 1995, City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Real Property Sales Procedural By-law No. 95-049. Section 5(a) of this By-law declares that the "Real Property of the City shall not be sold unless it is surplus to the requirements of the City".

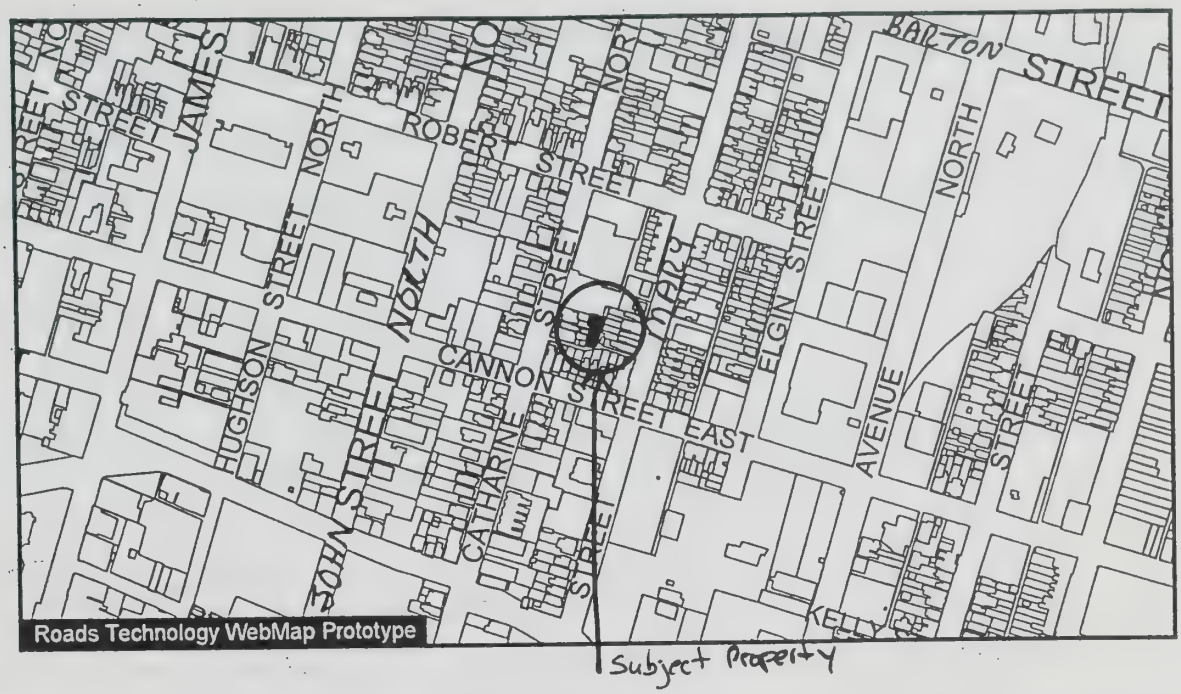
The subject property is located at the rear of houses from 164 to 172 Catharine Street North and from 167 to 171 Mary Street North. It is zoned "D" Residential (1 and 2 family), being irregular in shape and with a total area of approximately 2,091 square feet, having dimensions of 14.5 feet by 84 feet. The City acquired this land in 1993 through the Tax Sale process.

The sale of the subject land will eliminate the financial burden of the Public Works & Traffic Department, Parks Division, for the costs of maintaining the vacant land. The sale will also provide tax revenues to the City from the prospective purchaser and eliminate the possibility that an abutting property owner may acquire the property through adverse possession.

The subject land was circulated to all departments and no municipal interest was shown.

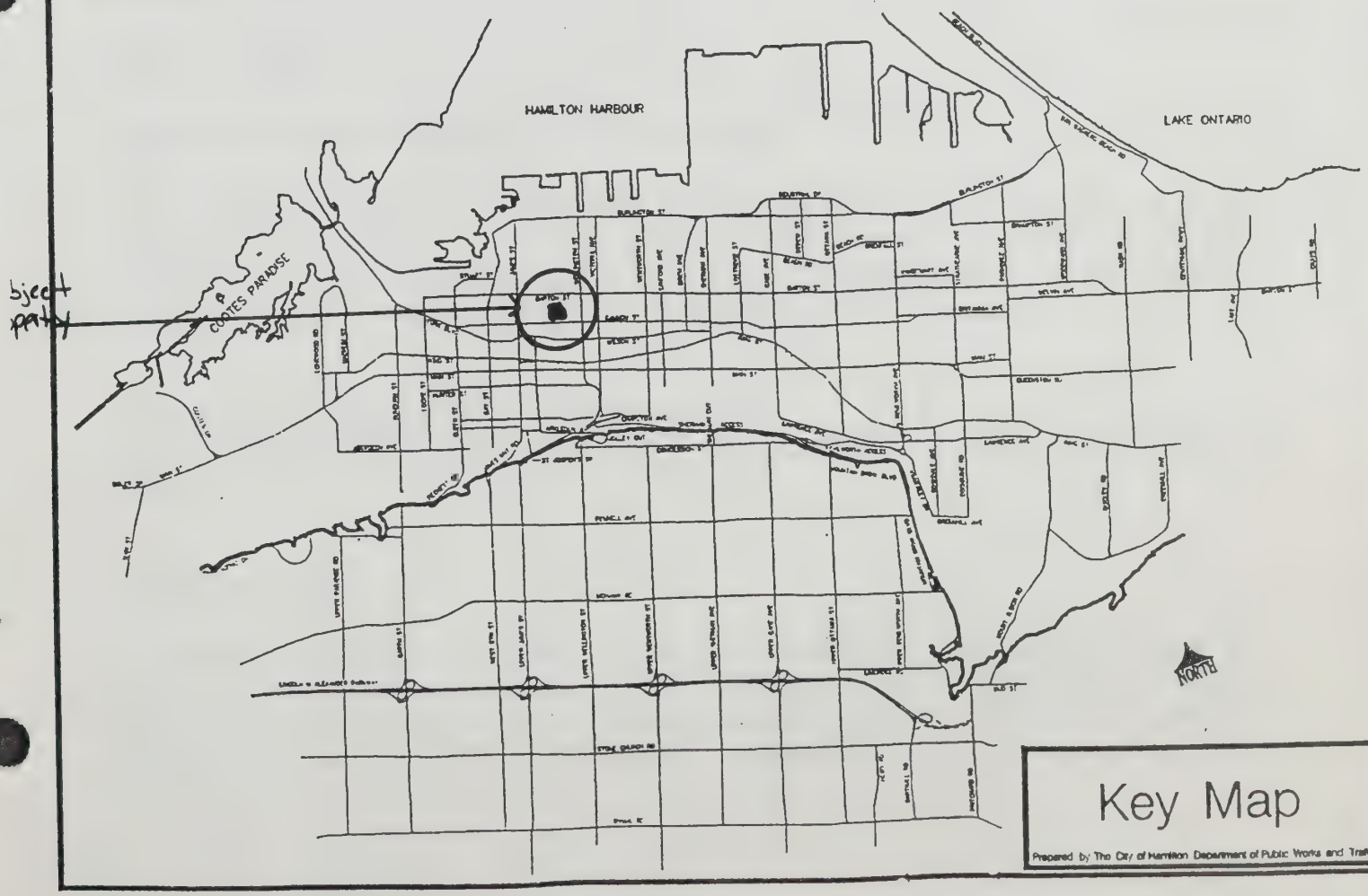
RJH/nw

c.c. Alderman A. Horwath, Alderman Ward 2
Alderman R. Corsini, Alderman Ward 2
R. C. Roszell, Corporate Counsel, Legal Services Section
Attention: H. Vastis
K. M. Lau, Manger of Surveys, Roads Division
B. Chrystian, Manager of Parks, Public Works & Traffic Department
R. Desnoyers, Director, Facilities Management



Location Plan

Prepared by The City of Hamilton Department of Public Works and Traffic



Key Map

Prepared by The City of Hamilton Department of Public Works and Traffic

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 11

REPORT TO: Chairman and Members
Finance and Administration Committee

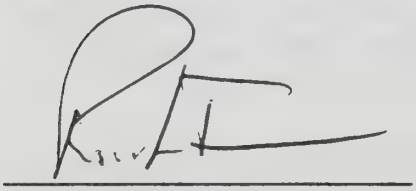
FROM: Ross Fair, General Manager
Community Services Division

SUBJECT: Revised City of Hamilton Emergency Plan
(Report CSC 99-001)

RECOMMENDATION:

That the revised Emergency Plan for the City of Hamilton be approved; and

That staff be authorized to submit the attached By-law to City Council for approval.



Signature of GM

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The revisions to the City of Hamilton's Emergency Plan were undertaken as a joint project with the Province of Ontario and the Federal Government through the Joint Emergency Preparedness Program (JEPP). The City received approximately $25,000 in subsidy from this program towards the total project cost of $55,000.

SUSTAINABLE DEVELOPMENT IMPLICATIONS:

(Vision 2020, adopted by Regional Council as their vision for the future of Hamilton-Wentworth, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all regional decision-making)

BACKGROUND:

In September 1997, the City applied to the Joint Emergency Preparedness Program for funding to undertake a major review of its Emergency Plan. Funding was approved in May 1998 and the project has been ongoing since that time. Phase I of the project is now complete with the approval of Revised Emergency Plan by the Emergency Control Group in May.

The process utilized to undertake this project has been extensive utilizing a three-year cycle for updating the plan:

Phase 1 — Review and modifications to the existing plan with stakeholder consultations at three different times in the process. This phase concludes with the adoption of a revised Emergency Plan by the Emergency Control Group and approval of the Plan and appropriate by-law by City Council.

Phase 2 — Ongoing training and testing of the plan utilizing communication and/or table-top exercises. This phase concludes with further revisions to the Emergency Plan resulting from the ongoing training and testing of the plan. This phase will be undertaken during 1999 and the early part of 2000.

Phase 3 — The process is concluded in the third year with the holding of a major field exercise resulting in further revisions to the plan if necessary.

The Emergency Plan, which outlines the roles and responsibilities of the responding agencies, is presented in Schedule I to the attached by-law. The plan is identical to the Regional Plan, with the one exception of the Head of Council. This has been made possible through the staff restructuring which has occurred over the past year.

It is also important to note that staff are now working on a Y2K Community Contingency Plan which will be added as an Annex to the Emergency Plan. This plan is currently being developed through the Y2K Community Contingency Planning Committee, which is outlined in a separate report to Council.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

To Repeal By-law Nos. 86-164 and 94-187:

And to Enact a By-law respecting

THE EMERGENCY PLAN
FOR THE CORPORATION OF THE CITY OF HAMILTON

WHEREAS Section 3 of the *Emergency Plans Act*, R.S.O. 1990, Chapter E.9. provides as follows:

3(1) The council of a municipality may pass a by-law formulating or providing for the formulation of an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other person will respond to the emergency.

(2) A by-law under subsection (1) may provide for money associated with the formulation and implementation of the emergency plan.

(3) The council of a county may with the consent of the councils of the municipalities situated within the county co-ordinate and assist in the formulation of their emergency plans under subsection (1).

(4) The Lieutenant Governor in Council may designate municipalities that shall have an emergency plan respecting the type of emergency specified in the designation and, where so designated, a municipality shall formulate or provide for the formulation of the emergency plan. 1983, c. 30, s. 3.

AND WHEREAS By-law No. 86-164 was enacted by City Council on May 13th, 1986 to formulate a municipal emergency plan.

AND WHEREAS By-law No. 94-187 was enacted by City Council on November 8th, 1994 to amend By-law No. 86-164 as it related to offences and provided for further administrative provisions and the updating of the Emergency Plan.

AND WHEREAS City Council, in adopting Section (section) of the (no.)th Report of the Finance and Administration Committee on (date), 1999 authorized this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. DEFINITIONS:

In this by-law,

(a) Act means the *Emergency Plans Act*, R.S.O. 1990, Chapter E. 9.;
(b) Corporation means the City of Hamilton;
(c) Council means the Council of the City of Hamilton;
(d) Emergency means a situation or threat of an impending situation, which abnormally affects the lives, health, safety and property of the residents of the City. An emergency by nature or magnitude, require a controlled and co-ordinated response by multiple agencies, (both governmental and/or non-governmental), under the direction of the appropriate municipal officials. An emergency is distinct from routine operations carried out as normal daily operating procedures by municipal agencies, departments or services, such as fire suppression, policing activities, road maintenance, etc.;
(e) Emergency Control Group means the group comprised of the Mayor, City Manager, Chiefs, and other Department Heads, as set out in the Emergency Plan, who

collectively act as the main decision making authority during City emergencies and is responsible for advising of all action taken with respect to an emergency.

(f) Emergency Plan means a plan formulated pursuant to this by-law provision of necessary services during an emergency and the employees of the Corporation and other persons to respond to an emergency;

2. HAMILTON EMERGENCY PLAN

(a) The emergency plan hereto annexed as "Schedule 1" and entitled "City of Hamilton Emergency Plan" shall be the emergency plan of the City of Hamilton.

3. DECLARING AN EMERGENCY TO EXIST

(a) The Mayor (or Acting Mayor) has the legislative authority under the Act to declare an "Emergency to Exist" within the boundaries of the City of Hamilton. The decision to declare an emergency to exist is made by the Mayor, in likely consultation with the members of the Emergency Control Group.

(b) Upon declaring an emergency to exist, the Mayor with the assistance of the Municipal Clerk shall immediately notify the following:

(i) members of Council;
(ii) the Chairman of the Regional Municipality of Hamilton-Wentworth;
(iii) the Solicitor General of Ontario, through the auspices of Emergency Measures Ontario;
(iv) local member(s) of Provincial Parliament;
(v) local member(s) of Federal Parliament;
(vi) elected Heads of Council of the area municipalities;
(vii) local media; and
(viii) the public

4. ADMINISTRATION

(a) The Municipal Emergency Plan formulated pursuant to this by-law, with the exception of the portions excluded from public record for security reasons, shall be be made available to the public for inspection and copying at the office of the Municipal Clerk during office hours.

(b) The following by-laws are hereby repealed:

(i) By-law No. 86-164; and
(ii) By-law No. 94-187.

(c) This by-law shall come into force on the date of its enactment.

(d) The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this day of 1999, A.D.

MUNICIPAL CLERK MAYOR



Corporation of the
City of Hamilton

Emergency Plan

City of Hamilton Emergency Plan

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0.1 EXECUTIVE SUMMARY

This Emergency Plan serves as a **Guideline** for the efficient and appropriate administration of municipal emergency response personnel and resources to respond to and mitigate the effects of any emergency situation occurring within the boundaries of the City of Hamilton.

0.2 Legislative Authority to Plan for Emergencies

This plan has been prepared under the authority of the Provincial Legislation entitled The Act to Provide for the Formulation and Implementation of Emergency Plans or The Emergency Plans Act, RSO 1990, Volume #3, Chapter E9. This legislation empowers the City of Hamilton to pass a By-Law that adopts a Municipal Emergency Plan with corresponding operating procedures.

0.3 Key Operating Concepts and Plan Highlights

During a municipal emergency, the Mayor of the City of Hamilton is ultimately responsible for any and all actions carried out on behalf of the City to respond to, and mitigate the effects of, any emergency occurring within the City boundaries. *(Section 70, the Municipal Act).*

The Mayor is assisted in this task by the heads of the various municipal corporate departments and organizations, who serve as members of an Emergency Control Group. The collective role of the Emergency Control Group is to advise the Mayor regarding actions taken to:

- direct, co-ordinate and support municipal emergency response efforts being carried out at the emergency site;
- share information between the Emergency Control Group members, the Emergency Site Team, the media and the public; and
- ensure that appropriate emergency response provisions are maintained for all areas of the City, which are outside and apart from the emergency site.

These functions are carried out from within an Emergency Operations Centre, (EOC), where the City Manager is responsible for co-ordinating all administrative operations.

The City Manager will ensure that all Emergency Control Group members meet according to a regular schedule to share information, prioritize limited available resources, prioritize actions to be undertaken in support of

emergency operations at the emergency site, and to ensure that appropriate emergency response provisions are maintained for all areas of the City, which are outside of and apart from the emergency site. These responsibilities are described in greater detail within this Emergency Plan.

Each member of the Emergency Control Group and other Emergency Support staff has individual responsibilities to fulfill from within the Emergency Operations Centre. These individual responsibilities are described in greater detail within this Emergency Plan.

If the City at any time is not able to effectively respond to an emergency using all available resources within the City, or through standard outside service arrangements, assistance can be requested from the Region of Hamilton-Wentworth, the Province of Ontario, and/or the Federal Government.

0.4 Short Title

The City of Hamilton Emergency Plan may be cited as the Hamilton Emergency Plan or the Emergency Plan.

0.5 Definitions & Relevant Terminology

City: The Corporation of the City of Hamilton

Emergency Control Group: The group comprised of the Mayor, City Manager, Chiefs, and other Department Heads, who collectively act as the main decision making authority during City emergencies.

Emergency Notification Procedure: The procedure for notifying all required Emergency Control Group and "mandatory notification" Emergency Support Group members, and instructing them to respond to the Emergency Operations Centre.

Emergency Operations Centre: The location where the Emergency Control Group, the Emergency Support Group and other designated "Support Staff" convene to administrate the municipal emergency response effort.

Emergency Planning Officer: The individual tasked with writing, testing, exercising, revising, maintaining and distributing this Emergency Plan, Emergency Procedures, and other "Contingency Plans" for the Corporation of the City of Hamilton.

Emergency Site: The location where an emergency occurs or exists.

- major flooding, (urban or rural),
- radioactive materials release, (in transit or in use),
- landslides, earthquakes or property contamination, (destabilization of the escarpment or toxic industrial residue),
- breakdown in flow of essential services, (natural emergency, strike, riot or internal disturbance), or
- the threat of any of the foregoing.

1.0 INTRODUCTION

This Emergency Plan has been prepared to serve as a guideline for administering emergency response within the City of Hamilton. The focus of this Emergency Plan centres on the provision of an appropriate and co-ordinated emergency response effort from multiple agencies, in response to any municipal emergency, including the general responsibilities of Senior Municipal Officials during an emergency.

For this Emergency Plan to be effective, all participating agencies and departments must be familiar with its provisions and procedures. The information contained within this plan must be reviewed and maintained on a regular schedule in order for it to remain effective, appropriate, and up to date as municipal officials, departments and corporate structures may change over time.

1.1 AIM OF THIS EMERGENCY PLAN

To outline a plan of action for the efficient and effective deployment, administration, and co-ordination of municipal agencies, departments and services, to provide a controlled and appropriate emergency response effort in order to:

- Protect and preserve life, health and property, at single and multi-site emergencies;
- Minimize the impact of an emergency on the City of Hamilton;
- Restore essential services; and
- Provide resources and/or other assistance to area municipalities within the Region of Hamilton-Wentworth in response to emergencies, as requested.

1.2 Definition of Emergency

Emergencies are defined as situations or the threat of impending situations, which **abnormally** affect the lives, health, safety and property of the residents of the City of Hamilton. Emergencies by nature or magnitude, require a controlled and co-ordinated response by multiple agencies, (both governmental and/or non-governmental), under the direction of the appropriate municipal officials. Emergencies are **distinct from routine operations carried out as normal daily operating procedures** by municipal agencies, departments or services, such as fire suppression, policing activities, road maintenance, etc.

1.3 Jurisdictional Responsibility

Since the scale, impact and strain on municipal resources can vary depending upon the specific emergency, and/or over time, there is the possibility that a

major emergency could overload limited municipal resources. It is also possible that an emergency occurring within the City of Hamilton may change in severity over time affecting neighbouring municipalities, and/or requiring additional resources from outside the City to respond. Emergency response could potentially involve the participation of various organizations with differing jurisdictional responsibilities, and impact on the resources of the Region of Hamilton-Wentworth, the Province of Ontario, and/or the Federal Government.

1.3.1 Municipal Responsibility

When an emergency occurs or threatens the City of Hamilton, it is the initial and primary responsibility of the City to provide an immediate emergency response. Therefore, the administration of any emergency occurring within the City initially rests with City Officials. Municipal personnel are authorized to do whatever is necessary to respond to an emergency, under the provisions of the Emergency Plans Act, as long their actions are not contrary to law.

If an emergency response cannot be effectively administrated by City and/or Regional resources, under the existing division of statutory responsibilities, the Mayor may, on the advice of the Emergency Control Group, request assistance from the Region of Hamilton-Wentworth. This action does not in itself relinquish control of the emergency to the Region.

1.3.2 Regional Responsibility

Due to the number of Regional departments/agencies which provide services to the City, if an emergency occurs within the boundaries of the City, said Regional departments, organizations and services will fall under the administration of the Mayor and the Emergency Control Group of the City of Hamilton. If additional assistance is required from the Region, which is outside of normal service arrangements, the Mayor may choose to make a formal request for assistance to the Region of Hamilton-Wentworth.

The Region of Hamilton-Wentworth however, may choose to activate the Regional Emergency Plan if any or all of the following conditions are applicable:

- If the emergency escalates beyond the ability of the City of Hamilton to respond; or
- If the emergency impacts or threatens to impact municipal boundaries and affect other area municipalities bordering the City of Hamilton; or
- If the emergency is of such large scale or magnitude that it requires the Region to activate its Emergency Plan in response to a "Regional Emergency". At that time, any area municipal Emergency Plans currently in

operation shall continue to operate in co-ordination with the Region's Emergency Plan.

1.3.3 Provincial Responsibility

If an emergency escalates beyond the ability of the combined resources of the City and the Region to mitigate, the Regional Chair may, on the advice of the Region's Emergency Control Group, request assistance from the Province of Ontario.

Under the provisions of the Emergency Plans Act, the Premier of the Province of Ontario has certain authorities, which he/she may invoke in response to any emergency occurring within the Province of Ontario. These authorities include declaring an "emergency to exist" anywhere in the Province, and/or "twinning" municipalities to provide support to other municipalities impacted by an emergency, etc.

1.4 Activation of this Emergency Plan

This Emergency Plan is considered implemented upon activation of the Emergency Notification Procedure.

Municipal emergency responders may take action under the provisions of the Emergency Plans Act and this Emergency Plan, **at any time**, as long their actions are not contrary to law.

- **Implementation of this Emergency Plan never constitutes, in itself, an Emergency Declaration. (Refer to Section 7.0 - Declaring an Emergency to Exist).**

2.0 EMERGENCY NOTIFICATION PROCEDURE

2.1 Administration of the Emergency Notification Procedure

Hamilton-Wentworth Regional Police Communications is responsible for initially notifying members of the Emergency Control Group and "mandatory notification" of members of the Emergency Support Group, and instructing them to respond to the Emergency Operations Centre or to "Stand-By" for further information.

2.2 Activation of the Emergency Notification Procedure

If an emergency occurs or is likely to occur within the boundaries of the City of Hamilton that requires a controlled and co-ordinated response from multiple municipal departments, organizations or services, the Emergency Notification System will be activated, and emergency personnel will be instructed to respond to the Emergency Operations Centre or to "Stand-By" for further information.

2.3 Authority to Activate

Any member of the Hamilton Emergency Control Group has the authority to activate the Emergency Notification Procedure by contacting the Regional Police Communications Supervisor.

2.4 Emergency Notification Levels

Due to the threat of an emergency situation developing or the potential for an emergency situation to change in severity over time, there are three different levels at which emergency personnel can be notified.

- ***The Emergency Notification Levels are as follows:***

2.4.1 "Full Notification"

When an ECG member instructs Regional Police Communications to issue a full notification, all members of the Emergency Control Group and all "mandatory notification" members of the Emergency Support Group will be contacted and instructed to respond to the Emergency Operations Centre at a given time.

2.4.2 "Partial Notification"

When an ECG member instructs Regional Police Communications to issue a partial notification, only selected members of the Hamilton Emergency Control

Group and/or Emergency Support Group, as designated by the ECG member, are contacted and instructed to respond to the Emergency Operations Centre at a given time;

2.4.3 "Stand-By Notification"

When an ECG member instructs Regional Police Communications to issue a stand-by notification, either all, or selected members of the Emergency Control Group and/or the Emergency Support Group, as designated by the ECG member, are contacted and instructed to "Stand By" for further information.

This type of notification will be used if there is an emergency situation developing or the threat of an emergency occurring, which does not yet merit assembling members of the above groups.

2.5 Emergency Notification Procedure

Emergency notifications are conducted essentially by telephone and co-ordinated by Regional Police Communications Staff.

- ***All Emergency Control and Support Group members will be contacted according to the "This is Real" Emergency Notification Procedure attached as Appendix 3 to this Plan.***

3.0 EMERGENCY OPERATIONS CENTRE (EOC)

3.1 Operational Concept

The Emergency Operations Centre is where the Emergency Control Group, the Emergency Support Group and other support personnel assemble to share information, evaluate options and make decisions regarding the administration of the emergency, and provide support to the emergency site.

The City Manager is responsible for co-ordinating all operations within the Emergency Operations Centre.

❖ ***Please Refer to Diagram 3.1 – The Emergency Operations Centre***

The Emergency Operations Centre will have the following amenities:

- A meeting room for the Emergency Control Group and Emergency Support Group;
- A Telecommunications & Support room with appropriate voice radios, phones, faxes, access to a photocopier, cable television, printers and computers connected to the corporate network;
- Appropriate comfort facilities including washrooms, quiet areas, kitchen facilities and showers;
- Adequate parking for all emergency personnel;
- Access to an appropriate Media Information Centre with Press Conference area; and,
- An adequate back-up power supply permitting the EOC to fully function without a municipal power supply.

3.2 Emergency Control Group Meeting Room

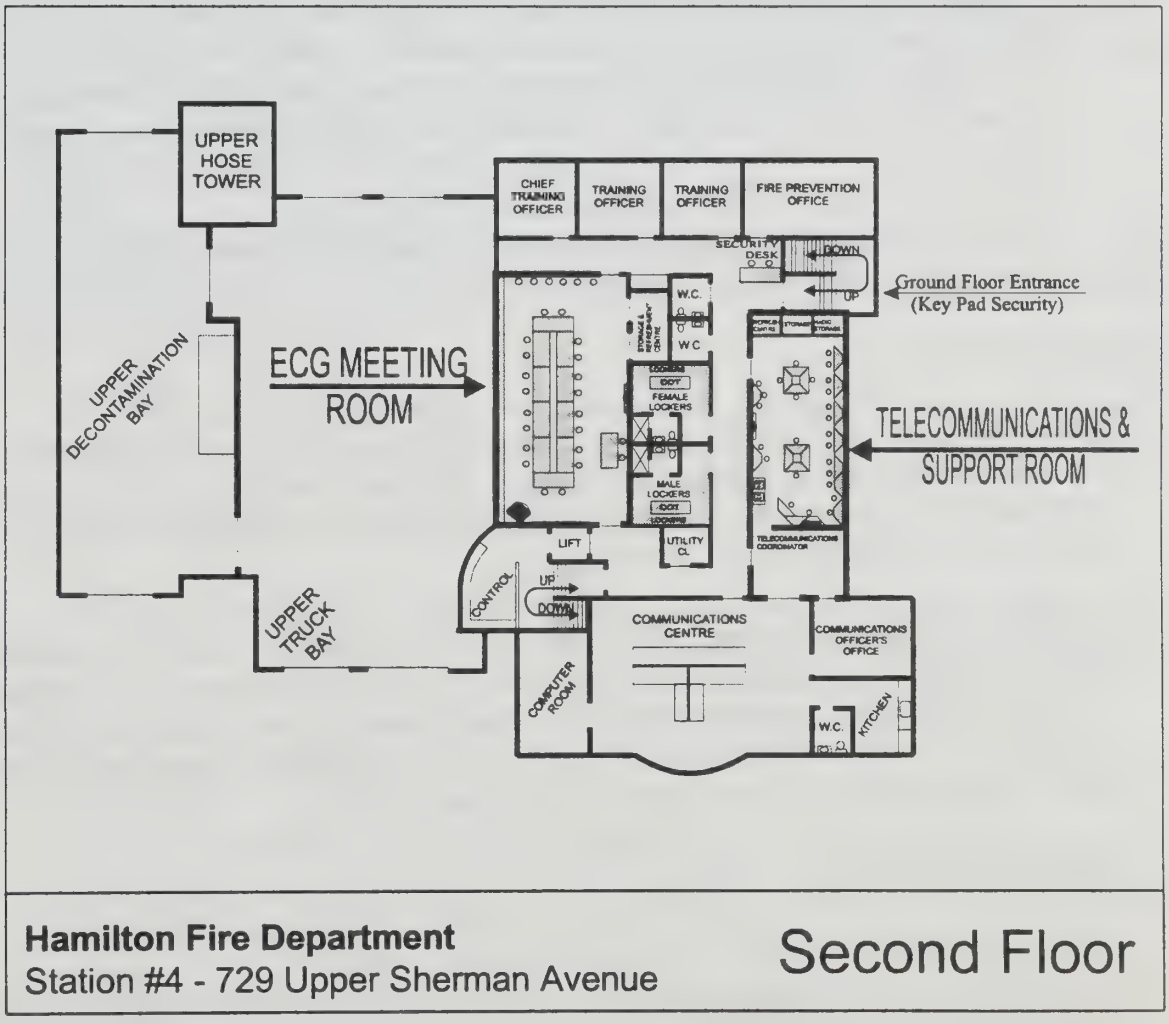
The Emergency Control Group requires a quiet meeting room located close to support and telecommunications functions. This room must be able to comfortably contain all members of the Emergency Control Group, the Emergency Support Group, and any other persons required to advise the Mayor and the Emergency Control Group.

The Emergency Control Group Meeting Room will contain the following amenities:

- Sufficient tables and chairs for all present;
- An accurate clock, synchronized with all other EOC clocks;

- Maps of suitable scale for depicting and updating emergency operations;
- A visual board for logging emergency operations status, key decisions and other information;
- Devices for recording the Emergency Control Group Meetings;
- A television and VCR for Media Updates from the Emergency Information Co-ordinator;
- A computer and qualified recording secretary for taking and producing minutes of the Emergency Control Group meetings; and,
- All necessary stationery requirements and office supplies for those present to take notes and record information.

Diagram 3.1 – The Emergency Operations Centre



Hamilton Fire Department
Station #4 - 729 Upper Sherman Avenue

Second Floor

3.3 Telecommunications & Support Room

While the Emergency Control Group is engaged in meetings, they will require "Support Staff" to collect information, relay information, conduct office support functions and convey decisions/actions taken by the Emergency Control Group members. Therefore, the Telecommunications & Support room must be in close proximity to the Emergency Control Group Meeting Room.

The Telecommunications & Support Room will contain the following amenities:

- Sufficient tables and chairs for all present;
- An accurate clock, synchronized with all other EOC clocks;
- Maps of suitable scale for depicting and updating emergency operations;
- All necessary phones, portable voice radios, fax machines, printers and computers connected to the corporate network required to communicate with others outside the Emergency Operations Centre, at the Emergency Site or elsewhere;
- Televisions and a VCR for media monitoring; and,
- All necessary stationery requirements and office supplies for those present to take notes and record information.

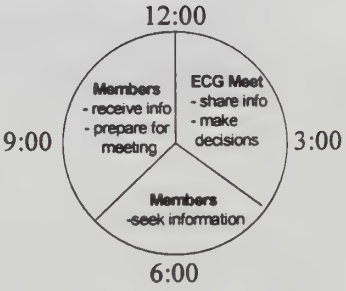
3.4 Support Staff

Each member of the Emergency Control Group will designate one or two "Support Staff" from within their own department, organization or service, to support their Emergency Control Group member, as required, from within the Telecommunications & Support Room.

Support staff will be alerted according to their own internal departmental alerting procedure and not through the Emergency Notification Procedure. Support staff are responsible for operating the telephones, voice radios, faxes, computers and relaying information to and from their Emergency Control Group member to key personnel outside the Emergency Operations Centre.

3.5 Meeting Cycle

It is essential that the Emergency Control Group members meet on a regular basis to share information, identify actions, set priorities, make decisions and resolve problems. These meetings are scheduled by the City Manager on a regular rotation, allowing time between meetings for Emergency Control Group members to deal with their individual responsibilities.



This meeting schedule is called the "Meeting Cycle".

3.6 Emergency Control Group Meetings

When the Emergency Control Group meets according to the meeting cycle, there will be no interruptions, (unless urgent), until the meeting is concluded. When a meeting commences, all Emergency Control Group members will come to the table and each member will briefly update the group on the actions of their respective organization. Each update will identify issues needing resolution and seek input from the group as a whole with the City Manager chairing each meeting.

Emergency Control Group meetings serve as the essential forum for group decision making and keeping all group members up to date regarding the actions of each organization, and the emergency situation as a whole. All Emergency Control Group Members must be present at each meeting to hear reports from, and give reports to the group as a whole.

3.7 Emergency Operations Centre Locations

It is possible that an Emergency Operations Centre could be directly affected by the emergency itself. Therefore, an alternate Emergency Operations Centre must be available at all times.

- **A Primary EOC will always be preferred, with an Alternate EOC as a back up.**

3.71 Primary EOC Location

- ***The Primary Emergency Operations Centre*** *is located on the second floor of the Hamilton Fire Department's Station #4, at 729 Upper Sherman Avenue.*

3.72 Alternate EOC Location

- ***The Alternate Emergency Operations Centre*** *is located on the second floor of the Hamilton-Wentworth Regional Police Services Building, at 155 King William Street.*

3.8 Emergency Operations Centre - Organization & Procedures

- ***A detailed Emergency Operations Centre - Organization & Procedures, is attached as Annex A to this Plan, and is maintained under separate cover.***

4.0 EMERGENCY CONTROL GROUP

4.1 Composition

The Emergency Control Group will be composed of the following municipal officials, or their designated alternates, holding the following appointments:

- ☑ Mayor
- ☑ City Manager
- ☑ Chief of Regional Police
- ☑ Fire Chief / Regional Fire Co-ordinator
- ☑ Ambulance Services, Duty Manager
- ☑ Medical Officer of Health
- ☑ General Manager, Social & Public Health Services
- ☑ General Manager, Transportation, Operations & Environment
- ☑ General Manager, Community Services
- ☑ Manager, Ambulance & Emergency Services
- ☑ Emergency Planning Advisor

✸ ***The Emergency Control Group may function with only a limited number of members present; depending upon the "Notification Level" initiated.***

4.2 Group Responsibilities

The Emergency Control Group is responsible for advising the Head of Council on all actions taken to support emergency workers at the emergency site, evacuation centres or any other location where staff, people, or volunteers are working to respond to an emergency. These actions include informing the public regarding issues of concern, issuing authoritative messages to the public through the media, providing the co-ordination and support necessary to respond to and mitigate the emergency situation, and ensuring that adequate emergency resources are maintained outside of and apart from the emergency site.

The role of the Emergency Control Group is to co-ordinate **the administration** of emergency resources out of the Emergency Operations Centre.

❖ ***The collective responsibilities of the Emergency Control Group include, but are not limited to the following:***

- ➢ **Co-ordinating all emergency support operations** during and post incident.
- ➢ Calling out and/or **mobilizing any agency/department emergency responders** as required.

- Co-ordinating and directing agency/department service providers, and **ensuring that all actions taken to mitigate the emergency** are conducted, and are **not contrary to law**.
- **Ensuring adequate emergency service provisions** are maintained outside and separate from those responding at the Emergency Site.
- Appointing an Emergency Site Co-ordinator or multiple Emergency Site Co-ordinators from the lead emergency response service **and ensuring there is an Emergency Site Co-ordinator appointed** upon assembly of the Emergency Control Group at the Emergency Operations Centre.
- Ensuring that the Emergency Site Team **establishes an inner and outer perimeter** around the emergency site.
- Advising the Head of Council regarding **making an emergency declaration** if warranted and ensuring that all required are informed of any emergency declaration made by the Head of Council.
- Ensuring the Emergency Site Team **disperse and/or remove any people not involved in emergency operations**, who are in danger, or who's presence hinders emergency operations being carried out by the Emergency Site Team.
- **Deciding to evacuate any buildings** within an emergency site, on the advice of the Emergency Site Team, which are considered dangerous or in which the occupants are in danger.
- Ensuring the **discontinuing any service or utility** without reference to any consumer, where continuation of such service constitutes a hazard to emergency operations or public safety.
- **Collecting and disseminating information** on the emergency and providing factual information to officials involved in emergency operations, the news media and the general public through the establishment of an Public Inquiry Bureau and through a Public Information/ Media Centre.
- **Authorizing any expenditure** required for emergency operations, emergency humanitarian aid and the preservation of the life, health and safety of anyone involved in or adversely affected by the emergency.
- **Requesting assistance** from other governmental departments/agencies, volunteer organizations, the private sector or the general public.
- Ensuring that support staff **maintain a record of actions** taken and decisions made by the Emergency Control Group during the emergency.
- Advising the Head of Council when and why to **terminate an emergency declaration,** and ensuring that all required are informed of the termination of any emergency declaration.
- Before emergency response efforts have been completed, **determining if an Emergency Recovery Committee needs to be established**, and if so, determining the chair and composition of that committee, along with its reporting structure.

- **Maintaining a log outlining communications and actions taken** by their agency, participating in a post emergency debriefing and providing necessary information to assist the Emergency Planning Officer with the preparation of a report on the emergency, upon request.

4.3 Individual Responsibilities

4.3.1 Mayor

The Mayor as Head of Hamilton City Council, is ultimately responsible for all decisions and actions made by the Emergency Control Group. The Mayor is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Declaring an emergency to exist within the City.
- Terminating any emergency declaration.
- Ensuring that the media, the public and neighbouring municipal officials are kept apprised of the emergency situation, including any emergency declaration(s), and emergency termination(s), in co-ordination with the Emergency Public Information Co-ordinator, and the City Manager.
- Fulfilling the role of Primary Municipal Spokesperson and conducting Media Briefings, as arranged by the Emergency Public Information Co-ordinator in consultation with the City Manager.

4.3.2 City Manager

The City Manager is responsible for co-ordinating all activities in the Emergency Operations Centre. The City Manager is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Advising the Mayor on issues regarding Regional policies and procedures as required.
- Establishing the meeting cycle and ensuring that the Emergency Control Group adheres to it.
- Ensuring that a record of issues and problems identified, resolved and yet to be resolved, is maintained throughout the emergency through the Municipal Clerk.
- Maintaining communications with the appointed Emergency Site Co-ordinator(s).
- Approving media releases in co-operation with the Emergency Public Information Co-ordinator and the Head of Council.

4.3.3 Chief of Regional Police Service

The Regional Chief of Police, (or acting Chief of Police), is responsible for advising the Emergency Control Group regarding the protection of life, property, the provision of law and order, and conducting evacuations. The Chief of Regional Police is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Appointing a Police Incident Commander or "Officer in Charge" at the emergency site.
- Establishing ongoing communications with the Police Commander at the emergency site, with the assistance of a support person operating out of the Telecommunications & Support Room.
- Liaising with Ambulance Services and providing an estimated number of casualties where required.
- Notifying the Coroner regarding fatalities.
- Co-ordinating all policing functions in support of the emergency site.
- Advising the Emergency Control Group regarding the most effective use of police resources in support of the emergency response at the emergency site and external to the emergency site.
- Ensuring the provision of traffic control measures to facilitate the movement of emergency vehicles.
- Recommending and establishing safe evacuation routes in co-ordination with the Police On-Site Commander, and other members of the Emergency Control Group.
- Ensuring the alerting of persons endangered by the emergency, co-ordinating evacuation procedures in co-operation with the Emergency Control Group, and conducting an evacuation of any part of the municipality if necessary.
- Liaising with other municipal, provincial and federal police agencies as necessary.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.4 Fire Chief / Regional Fire Co-ordinator

The Chief of the Hamilton Fire Department / Regional Fire Co-ordinator is responsible for providing the Emergency Control Group with information and advice regarding all operations associated with fire suppression, fire prevention, hazardous materials response, and fire search and rescue. The Fire Chief / Fire Co-ordinator is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Appointing a Fire Incident Commander or "Officer in Charge".
- Establishing ongoing communications with the Fire Incident Commander at the emergency site, with the assistance of a support person operating out of the Telecommunications & Support Room.
- Liaising with ambulance services, and providing an estimated number of casualties where required.
- Arranging for all additional fire assistance with the Fire Marshal of Ontario and co-ordinating all mutual aid requirements.
- Determining the need for any special equipment or resources and making these needs known to the Emergency Control Group.
- Ensuring the provision of emergency resuscitation equipment, together with trained operators.
- Advising the Emergency Control Group regarding the need to evacuate buildings, areas, or the demolition of structures, which present a danger. Conduct search and rescue of persons where necessary if possible.
- Liaising with other fire authorities, as required, and co-ordinating the participation of any other fire authorities.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.5 Ambulance Services Duty Manager

The Ambulance Services Duty Manager is responsible for advising the Emergency Control Group on all aspects of emergency medical treatment, triage and transportation of the injured. The Ambulance Services Duty Manager is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Ensuring the appointment of an on-site Ambulance Services Commander.
- Liaising with any other Emergency Medical agencies at the emergency site, at evacuation/reception centres, and elsewhere, with the assistance of a support person operating out of the Telecommunications & Support Room.
- Ensuring that there is appropriate ambulance personnel and equipment to conduct triage and essential medical treatment at the emergency site, at reception/ evacuation centres or any other location as required.
- Assessing the need for on-site emergency medical services during an emergency and prioritizing available resources.
- Liaising with the Manager of Ambulance and Emergency Services on areas of mutual concern.

- Liaising with area hospitals for the efficient distribution of casualties through Ambulance Communications.
- Liaising with the Ambulance Services Commander at the emergency site regarding provision of specialized resources such as ambulance buses, crash vehicles, Medevac helicopters etc.
- Liaising and co-ordinating with volunteer emergency medical services such as St. John Ambulance.
- Liaising with the Medical Officer of Health, and the General Manager, Social & Public Health Services regarding the organization and transportation of persons in hospitals, health care facilities, long term care facilities, and any other medically fragile persons as required.
- Liaising with the Ministry of Health regarding issues of mutual concern during and following an emergency.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.6 Medical Officer of Health

The Medical Officer of Health is responsible for providing the Emergency Control Group with information and advice on all areas of Public and Environmental Health. The Medical Officer of Health is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Liaising with Ambulance Services, Social & Public Health Services and the Ministry of Health - Public Health Branch regarding issues of mutual concern.
- Co-ordinating all emergency health services and facilities within the Region as required.
- Making recommendations to the Emergency Control Group on risks to public safety and the need to evacuate areas of the city.
- Providing a senior Public Health Representative as part of the Emergency Site Team, as required.
- Providing consultation to emergency responders and the public regarding the immediate and long term effects of toxic gasses, liquids and/or other substances which may be present at or emanate from the emergency site.
- Providing consultation to emergency responders, the public, and public inquiry staff, regarding flooding, potential drinking water and/or food contamination.
- Providing authoritative instructions on health and safety matters to the public through the Emergency Public Information Co-ordinator.
- Co-ordinating responses to disease related emergencies, epidemics or mass immunization programs according to Ministry of Health policies and procedures.

- Ensuring co-ordination of transportation, medical care and services for residents of Long Term Care Facilities, Second Level Lodging Homes, Nursing Homes, Special Care Facilities as well as bed-ridden citizens and individuals at home.
- Providing appropriate Public Health officials and personnel to inspect, staff and support evacuation/reception centres.
- Liaising with voluntary and private health agencies to augment and support public health resources.
- Arranging for the provision of emergency potable water supplies and sanitation facilities in co-ordination with Environment Services.
- Arranging for post emergency Critical Incident Stress Debriefings for affected citizens and municipal emergency workers as required.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.7 General Manager, Social & Public Health Services

The General Manager, Social & Public Health Services is responsible for advising the Emergency Control Group on all aspects of social assistance to individuals affected by or temporarily displaced by the emergency. The General Manager, Social & Public Health Services is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Ensuring the well being of residents displaced from their homes during an emergency,
- Co-ordinating with the appropriate School Boards regarding facilities for evacuee sheltering.
- Designating suitable evacuation/reception centres in consultation with the General Manager, Community Services, Regional Police and Transportation Services.
- Co-ordinating the opening, operation, control and supervision of evacuation/reception centres for the provision of emergency social assistance, (food, clothing, shelter, personal services, financial assistance, registration & inquiry, etc.).
- Co-ordinating the process to register all persons arriving at evacuation/reception centres and forwarding this information to a Registration and Inquiry Bureau.
- Co-ordinating the participation of any community volunteer agencies with roles to perform within their scope of operations.

4.3.8 General Manager, Transportation, Operations & Environment

The General Manager, Transportation, Operations & Environment is responsible for advising the Emergency Control Group regarding the efficient and effective use of transportation, infrastructure, road maintenance, road clearing, road construction and sanitation resources. The General Manager, Transportation, Operations & Environment is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Providing an appropriately qualified individual for the Emergency Site Team at the request of the Emergency Site Co-ordinator.
- Determining the need for any special equipment or resources and recommending sources of supply to the Emergency Control Group.
- Providing specialized transportation and response equipment in support of the Emergency Site.
- Providing public transit vehicles and operators for the safe transportation of evacuees and emergency response personnel, as required.
- Providing testing and laboratory services to determine the presence of airborne, waterborne or latent toxic hazards.
- Liaising with local utilities to provide special equipment, vehicles and personnel as required.
- Liaising with local Conservation Authorities with respect to water levels during times of flooding or anticipated flooding, and acting as the City's "Flood Co-ordinator".
- Ensuring that barricades and flashers are delivered to the emergency site to establish traffic control points and emergency perimeters, as required.
- Liaising with local utilities to disconnect services that may be a hazard to emergency responders or the public and to have these services reconnected when appropriate.
- Co-ordinating the provision of specialized municipal equipment, along with trained operators to the emergency site.
- Ensuring adequate emergency water supply/pressure for effective fire suppression operations.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.9 General Manager, Community Services

The General Manager, Community Services is responsible for advising the Emergency Control Group regarding the efficient and effective use of all municipal Parks and Recreation facilities. The General Manager, Community Services is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Co-ordinating with Community Services staff regarding the designation and use of municipal Parks & Recreation facilities as evacuation/reception centres.
- Directing the actions of the Culture & Recreation Department, Library Services, and Ambulance & Emergency Services regarding actions taken to assist during the initial emergency response and later during emergency recovery efforts.
- Co-ordinating the actions of municipal emergency planning personnel, in co-operation with the Manager, Ambulance & Emergency Services.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.10 Manager, Ambulance & Emergency Services

The Manager, Ambulance & Emergency Services is responsible for advising the Emergency Control Group regarding the efficient and effective use of ambulance fleet services, municipal emergency planning and Regional trunked radio resources. The Manager, Ambulance & Emergency Services is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Ensuring a Telecommunications Co-ordinator is present to co-ordinate all voice radio communication functions from within the Emergency Operations Centre.
- Co-ordinating the activities of municipal emergency planning personnel.
- Advising the Emergency Control Group on all matters related to emergency telecommunications and the Regional Trunked Radio System.
- Advising the Emergency Control Group on all matters related to Ambulance Fleet Services and Ambulance Communications.
- Ensuring that Emergency Planning personnel are available at the Emergency Operations Centre, and sufficient back-ups are able to respond at all times, during an emergency.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.11 Emergency Planning Officer

Reporting to the Manager, Ambulance & Emergency Services, the Emergency Planning Officer is responsible for:

- Ensuring that the Emergency Operations Centre is set-up and operational immediately upon notification by Regional Police Communications Staff.
- Acting as a resource to the City Manager, and assisting him/her in fulfilling their respective duties at the Emergency Operations Centre.
- Acting as a resource to the Emergency Control Group and the Emergency Support Group regarding emergency management issues.
- Assisting the Manager, Ambulance & Emergency Services in fulfilling their responsibilities.
- Providing guidance, direction and/or assistance to any emergency or support personnel at the Emergency Operations Centre, and/or any other location as required by the Emergency Control Group.
- Liaising with other agencies as required by the Emergency Control Group.
- Assisting the Emergency Site Co-ordinator as appointed by the Emergency Control Group in fulfilling their responsibilities, as required.
- Arranging and conducting a post emergency debriefing.
- Preparing and circulating the post-emergency debriefing report.

4.3.12 Support Staff

Support Staff assist the Emergency Control Group members in the Emergency Operations Centre. Support staff will operate out of the Telecommunications & Support Room and are responsible for operating the phones, portable radios, computers, printers and faxes to distribute and collect information at the direction of their Emergency Control Group member.

- ***Support staff will be notified by their Emergency Control Group member, according to an internal agency/ department procedure, and be instructed to respond to the Emergency Operations Centre as required.***

5.0 EMERGENCY SUPPORT GROUP (ESG)

5.1 Composition

The Emergency Support Group will be composed of the following officials, or their designated alternates:

- ☑ Municipal Clerk
- ☑ Legal Services, Corporate Counsel
- ☑ General Manager, Financial Services
- ☑ General Manager, Human Resources
- ☑ Municipal Clerk's Support
- ☑ Emergency Public Information Co-ordinator
- ☑ Telecommunications Co-ordinator
- ☑ Community Awareness & Emergency Response, (CAER)
- ☑ Hamilton Hydro-Electric System Representative

The above group members are considered "Mandatory Notification" and will always be notified upon activation of the Emergency Notification Procedure, unless specifically omitted according to the "Notification Level" initiated.

5.2 Group Responsibilities

The Emergency Support Group is comprised of municipal or other non-governmental officials, who may be required to advise the Head of Council and the Emergency Control Group during an emergency, and to work at their direction.

5.3 Individual Responsibilities

5.3.1 Municipal Clerk

The Municipal Clerk is responsible for ensuring the effective administrative operation of the Emergency Operations Centre, in co-operation with the Municipal Clerk's Support person, and the Emergency Planning Officer. The Municipal Clerk is also responsible for:

- ➢ Directing all actions of the Municipal Clerk's Department taken to assist municipal emergency response efforts, co-ordinate the release of emergency information, and conduct post emergency recovery efforts.
- ➢ Ensuring the opening, staffing and operation of the switchboard at Hamilton City Hall, as required during an emergency.

- Ensuring that the Emergency Public Inquiry Bureau is staffed and operational at the direction of the Emergency Control Group.
- Co-ordinating with the City Manager and the Head of Council to ensure that all Council members are advised of any emergency declaration made, or the termination of any emergency declaration made, by the Head of Council, and any others actions taken by the Emergency Control Group.
- Liaising with the Emergency Public Information Co-ordinator regarding the provision of approved information through the City Hall switchboard and the Public Inquiry Bureau.
- Ensuring that a log of decisions made and actions taken by the Emergency Control Group is maintained, throughout the emergency.

5.3.2 Legal Services, Corporate Counsel

The Corporate Counsel is responsible for advising the Emergency Control Group on all aspects of municipal law. The Corporate Counsel is also responsible for:

- Advising the Emergency Control Group on matters relating to law, and how they may be applicable to the actions of the municipality during emergencies.
- Co-ordinating the actions of other Legal Services Staff to assist, as required.

5.3.3 General Manager, Financial Services

The General Manager, Financial Services is responsible for advising the Emergency Control Group on all matters relating to municipal finance. The General Manager, Financial Services is also responsible for:

- Advising the Emergency Control Group on matters related the capabilities of the municipality to make emergency financial provisions.
- Providing direction to purchasing staff regarding purchases during an emergency, according to an Emergency Purchasing Policy.
- Ensuring that records of all expenses are maintained for future claims purposes, and that expenses are paid forthwith.
- Liaising with the Provincial Ministry of Municipal Affairs & Housing regarding the Ontario Disaster Relief Assistance Program, (ODRAP), as required.
- Directing staff to reimburse persons or outside agencies for expenses incurred in areas of the municipality's responsibility only, at the direction of the City Manager and the Emergency Control Group.

5.3.4 General Manager, Human Resources

The General Manager, Human Resources is responsible for advising the Emergency Control Group on all matters related to City and Regional staffing. The General Manager, Human Resources is also responsible for:

- Co-ordinating, prioritizing, and processing requests for municipal human resources,
- Co-ordinating offers of, and appeals for, volunteers at the direction of the Emergency Control Group,
- Establishing a "Volunteer Registration Bureau" at the direction of the Emergency Control Group, as required,
- Ensuring that Volunteer Registration Forms are available and filled out for every volunteer called upon by the municipality during an emergency,
- Ensuring that identification cards are issued to volunteers and temporary employees where practical, in co-operation with municipal emergency planning personnel.
- Arranging for the transportation of volunteers and staff involved in the emergency, in co-ordination with Transportation Services, and
- Obtaining assistance from other levels of government, public and private agencies and volunteer groups outside of the municipality, where required.

5.3.5 Municipal Clerk's Support

- Co-ordinating the provision of clerical staff for the Emergency Operations Centre, as required.
- Acting as the recording secretary to the Emergency Control Group by taking and producing the minutes of the Emergency Control Group Meetings.
- Ensuring that sufficient and appropriate food, hot & cold beverages are ordered and available for the Emergency Operations Centre staff, as required.
- Ensuring that appropriate personnel are on call and available for maintaining the air conditioning, heating and office machines (e.g. fax, photocopiers, overhead projectors etc.) at the Emergency Operations Centre, in co-operation with Facilities Management, as required.

5.3.6 Emergency Public Information Co-ordinator

The Emergency Public Information Co-ordinator is responsible for advising the Emergency Control Group on all matters related to information to be presented to the public through the media, the monitoring of information being presented by the media. During the implementation of this plan, the Emergency Public Information Co-ordinator reports to the City Manager, and works in support of the

Emergency Control Group. The Emergency Public Information Co-ordinator is also responsible for:

- Communicating information regarding the emergency to the public through the media using media kits, news releases, press briefings, public service announcements, flyers, telephones, the Internet, and public meetings as required, at the direction of the City Manager and the Emergency Control Group.
- Identifying issues, concerns and misinformation that can be addressed through use of the mass media and preparing appropriate responses.
- Organizing media briefings and preparing the Head of Council and other members of the Emergency Control Group prior to each media briefing, as required.
- Co-ordinating media site tours with the Emergency Site Co-ordinator and the On-Site Media Spokesperson(s).
- Ensuring that the public is receiving the information they require and that the information received is factual and correct.
- Liaising with the Public Inquiry Bureau, regarding information to be provided to the public and, information being requested by the public.
- Making a request for and, supervising media monitoring staff at the Emergency Operations Centre (located within the Telecommunications & Support Room).
- Attending all Emergency Control Group meetings in accordance with the "Meeting Cycle".

5.3.7 Telecommunications Co-ordinator

The Systems Manager of Emergency Communications will fulfil the role of Telecommunications Co-ordinator. The Telecommunications Co-ordinator is responsible for ensuring effective voice radio communications between the Emergency Operations Centre, the Emergency Site, and among the Emergency Response Agencies. The Telecommunications Co-ordinator is also responsible for:

- Ensuring that the Telecommunications & Support Room at the Emergency Operations Centre is adequately equipped with voice radio equipment (portables, base station radios, etc.) during an emergency.
- Maintaining the user gear as required, to ensure proper communications capabilities during an emergency.
- Maintaining an inventory of available communications equipment and ensuring that it functions properly.

- Providing training to all Emergency Operations Centre staff, regarding proper use of the portable radios, as co-ordinated by the Emergency Planning Officer, to ensure all EOC staff know how to use the gear properly.
- Ensuring that all EOC Talk Groups are functioning properly and tailoring radio talk groups according to the needs of the EOC staff, according to the emergency situation.
- Locating at the Emergency Operations Centre during an emergency to oversee all voice communications related functions.

5.3.8 Community Awareness & Emergency Response (CAER)

The Community Awareness & Emergency Response representative is responsible for advising the Emergency Control Group on all matters related to local industry, the Vital Resources Directory, actions taken, or assistance rendered by local industry. The CAER representative is also responsible for:

- Liaising with local industry management regarding issues of concern, assistance in the form of material resources, and/or personnel with specific expertise, at the direction of the Emergency Control Group.

5.3.9 Hamilton Hydro-Electric System

The Hamilton Hydro-Electric System representative is responsible for advising the Emergency Control Group on all matters related to the electrical distribution system, from within the Emergency Operations Centre. The Hamilton Hydro-Electric System representative is also responsible for:

- Notifying critical organizations, (i.e. hospitals and persons on medical support equipment) of impending power outages at the direction of the Emergency Control Group.
- Discontinuing services to any consumer where it is considered in the interest of public safety at the direction of the Emergency Control Group.
- Co-ordinating with the Emergency Control Group is establishing priorities for the restoration of services, and/or rotational load shedding, as required.
- Maintaining/restoring services on a priority basis where necessary and practical (i.e. Evacuation Centres) as determined by the Emergency Control Group.
- Providing any additional staff and equipment necessary to restore the electrical distribution system.
- Liaising with Ontario Hydro for inspection services, for the restoration of electrical service.
- Assisting the Emergency Site Co-ordinator as appointed by the Emergency Control Group in fulfilling their responsibilities when required.

6.0 EMERGENCY SUPPORT GROUP - "Ad Hoc Membership" (ESG, Ad-Hoc)

6.1 Composition

The following include other municipal, regional, provincial, or private agency representatives, who may be called on to advise the Emergency Control Group.

If assistance from the following is required, they will be alerted by Emergency Operations staff from within the Emergency Operations Centre, and instructed to respond to the EOC, as required. These Emergency Support Group Ad-Hoc members may include, but are not limited to:

- ☑ Facilities Management
- ☑ Purchasing, (Treasury)
- ☑ Social Services, (Social & Public Health Services)
- ☑ Environment Services
- ☑ Public Works & Traffic
- ☑ Community Planning & Development (Building)
- ☑ Transportation Services, (HSR)
- ☑ Business Information Systems
- ☑ Emergency Measures Ontario Liaison

6.2 Individual Responsibilities

6.2.1 Facilities Management Support

Facilities Management support personnel may be required to advise the Emergency Control Group on matters related to the use of municipal owned facilities, access to these facilities, and the staffing of municipal facilities during an emergency.

6.2.2 Purchasing Support

Purchasing support personnel may be required to advise the General Manager, Financial Services on matters related to resource acquisitions in response to an emergency, and how the municipality will pay for any resources acquired.

6.2.3 Social Services Support, (Social & Public Health Services)

Social Services support personnel may be required to advise and assist the General Manager, Social & Public Health Services on matters related to the provision of emergency humanitarian aid.

6.2.4 Environment Services Support

Environment Services support personnel may be required to advise the General Manager, Transportation, Operations & Environment and the Emergency Control Group on matters related to:

- Providing spills response expertise and advice.
- Maintaining the integrity of the municipal sewage and water systems.
- Providing equipment for emergency pumping operations.
- Providing emergency potable water supplies and/or sanitation facilities at the request of the Medical Officer of Health and/or Social & Public Health Services.

6.2.5 Community Planning & Development (Building) Support

Community Planning & Development support personnel, (Chief Building Official), may be required to advise the Emergency Control Group on matters related to the structural integrity and safety of buildings affected by an emergency including:

- Co-ordinating building inspection personnel to advise emergency services and the Emergency Control Group on the structural safety of buildings.
- Issuing any required building/ demolition permits to property owners during or following the emergency.
- Providing any other technical expertise to the Emergency Control Group regarding construction of buildings as required.

6.2.6 Public Works & Traffic Support

Public Works & Traffic support personnel may be required to advise General Manager, Transportation, Operations & Environment and the Emergency Control Group on matters related to:

- Ensuring the clearing of blocked passageways in co-ordination with the Emergency Site Co-ordinator if located inside or outside of the emergency perimeters.
- Ensuring the removal of rubble at the emergency site as directed by the Emergency Control Group.
- Providing any required staff and equipment for assisting emergency responders at the emergency site, or anywhere else in the municipality.

6.2.7 Transportation Services Support

Transportation Services support personnel may be required to advise General Manager, Transportation, Operations & Environment and the Emergency Control Group on matters related to:

- Providing engineering advice to the Emergency Control Group.
- Providing engineering advice and assistance to the Emergency Site Co-ordinator.
- Maintaining the integrity of the Regional road system.
- Assisting with evacuation proceedings at the direction of the Chief of Police and/or the Commissioner of Community Services.
- Co-ordinating the acquisition, distribution and scheduling of non-regional public and/or private transportation assets (e.g. school buses, special needs transportation, water or pump trucks, trains, helicopters, boats etc.) including qualified operators.

6.2.8 Business Information Systems Support

The Manager of Business Information Systems, may be required to advise the Emergency Control Group on matters related to the corporate computer network and any other computer support functions at the Emergency Operations Centre, as required.

6.2.9 Emergency Measures Ontario Liaison

An Emergency Measures Ontario Official (ie. South Central Area Officer) may be requested to act as a liaison between the municipality, Provincial government and/or Federal government, in the procurement of provincial and federal resources. The Area Officer may be requested to advise the Emergency Control Group on matters regarding general emergency measures practices in Ontario.

- ***NOTE: The Solicitor General must be notified through Emergency Measures Ontario immediately upon any emergency declaration made by the municipality.***

7.0 EMERGENCY SITE CO-ORDINATION

7.1 Operational Concept

During an emergency, emergency services personnel will congregate at the emergency site and work together to mitigate the effects of the emergency situation. In order to ensure that emergency site operations are conducted in an organized and co-ordinated manner, an Emergency Site Co-ordinator must be tasked with co-ordinating all site operations.

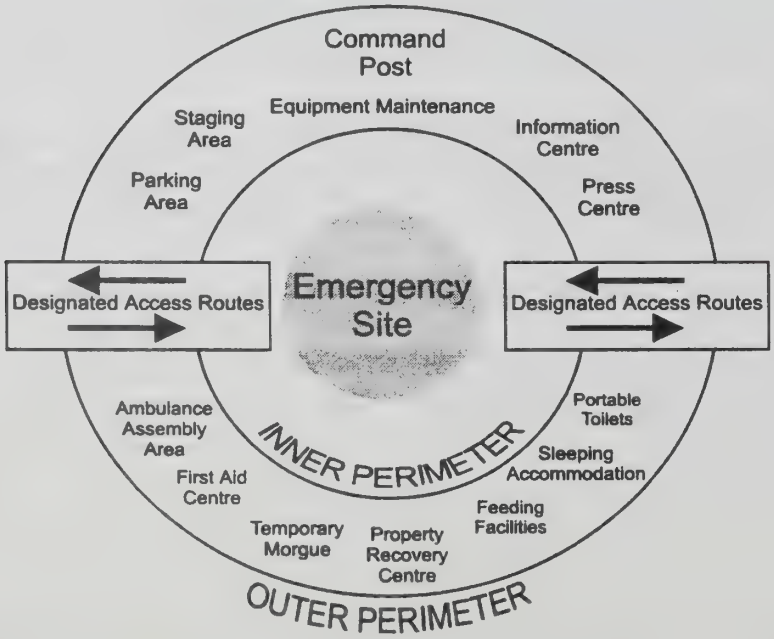
❖ ***Please Refer to Diagram 7.1 – The Emergency Site***

7.2 Emergency Site Co-ordinator

The Emergency Site Co-ordinator is appointed by the Hamilton Emergency Control Group, and is usually a Senior Officer from the lead emergency response agency. Once appointed, the Emergency Site Co-ordinator is no longer in command or part of their response agency for the duration of the emergency and/or their appointment.

At that time, he/she assumes responsibility for overall co-ordination of all operations at the emergency site, but not the command of any specific response organization. Each emergency response organization will have their own Commander or "Officer in Charge" at the emergency site, which will then liaise with the Emergency Site Co-ordinator as a member of the "Emergency Site Team."

Diagram 7.1 – The Emergency Site



7.3 Emergency Site Team

The Emergency Site Co-ordinator acts as the lead of the Emergency Site Team. The Emergency Site Team generally consists of:

- Emergency Site Co-ordinator;
- Alternate Emergency Site Co-ordinator, if required;
- On-Site Media Co-ordinator; and,
- All Emergency Response Service Commanders or "Officers in Charge".

7.4 Authorities of the Emergency Site Co-ordinator

The Emergency Site Co-ordinator has the authority to:

- Call meetings of the Emergency Site Team to share information, establish common goals, objectives and prioritize limited available resources where required;
- Mediate conflicts between emergency responders and to contact the City Manager at the Emergency Operations Centre if they are unable to resolve the issue;
- Request assistance from responding organizations and/or the Emergency Control Group for communications, resources and other site management tools; and,
- Request additional resources for the Emergency Site Team through the City Manager, and other members of the Emergency Control Group.

7.5 Responsibilities of the Emergency Site Co-ordinator

The Emergency Site Co-ordinator's responsibilities include, but are not limited to:

- Ensuring that priorities, tasks and tactics are established to contain and mitigate the emergency situation;
- Consulting and co-ordinating with on-site "Officers in Charge" to establish an inner and outer perimeter around the emergency site;
- Ensuring that all are aware of personnel, material and human resources available to mitigate the emergency situation;
- Maintaining a communications link with the City Manager at the Emergency Operations Centre;
- Appointing an On-Site Media Spokesperson, upon consultation with the City Manager, and the Emergency Control Group;
- Ensuring that all responsible organization commanders meet on a regular basis to update each other on individual organization actions and progress

made, to share information, to set common priorities, to set common objectives and determine what additional resources may be required; and,

- Understanding the laws and polices which may be considered during management or recovery of the emergency.

7.6 Emergency Site Co-ordination - Organization & Procedures

- ***A detailed Emergency Site Co-ordination - Organization & Procedures, is attached as Annex B to this Plan, and is maintained under separate cover.***

8.0 DECLARING AN EMERGENCY TO EXIST

Declaring an emergency to exist within the City of Hamilton is **not required,** prior to activation and implementation of this Emergency Plan, **nor** does it give the City any extraordinary powers that they are not already granted through activation of the Emergency Plan.

- ***An emergency declaration is not required prior to any municipal personnel taking actions under this plan to protect the lives, health, safety, and property of the inhabitants of the City of Hamilton.***

An emergency declaration however, may create greater understanding, and promote a sense of urgency to the public regarding the severity of an emergency situation. Therefore, an emergency declaration may be useful if the Emergency Control Group will be requesting the public to do something out of the ordinary, such as evacuate.

- ***An emergency declaration can often encourage greater public compliance, and understanding of the severity of an emergency situation.***

An emergency declaration **grants the City the power to protect volunteer emergency workers** under the provisions of the Workplace Safety and Insurance Board, (WSIB). By registering each volunteer participating in a "Declared Emergency", they are then considered "City Workers", and protected under the provisions of the WSIB. If an emergency situation requires the extensive use of volunteers, an emergency declaration will protect only those volunteers, **which are registered**, under WSIB.

- ***A Sample Volunteer Registration Form is attached as Appendix 5 to this Plan.***

8.1 Authority to Declare

Only the Mayor, (or the Acting Mayor), has the legislative authority, under the provisions of the Emergency Plans Act, to declare an "Emergency to Exist" within the boundaries of the City of Hamilton. The decision to declare an emergency to exist is made by the Mayor, preferably in consultation with the members of the Emergency Control Group. The Mayor does however, have the ultimate authority whether to make an emergency declaration.

❖ ***A "Sample" Emergency Declaration Format is attached as Appendix 6 to this Plan.***

✸ ***NOTE: The Premier of the Province of Ontario has the authority to declare an emergency to exist anywhere in the Province of Ontario, and the Chairman of the Region of Hamilton-Wentworth has the authority to declare an emergency to exist anywhere in the Region.***

8.2 Notice of Declaration

Upon making an emergency declaration, the Mayor with the assistance of the Municipal Clerk, must ensure that the following are immediately notified:

- ☑ Members of Hamilton City Council;
- ☑ Chairman of the Region of Hamilton-Wentworth;
- ☑ Solicitor General of Ontario, through Emergency Measures Ontario;
- ☑ Local Member(s) of Provincial Parliament (MPP);
- ☑ Local Member(s) of Federal Parliament (MP);
- ☑ Area Municipal Councils;
- ☑ Local media; and,
- ☑ The public.

9.0 TERMINATING AN EMERGENCY DECLARATION

Once emergency has subsided, usually as the result of an effective emergency response effort, an emergency declaration may no longer be required. The action of terminating an Emergency Declaration is required to advise that the emergency is over.

It may not always be clear when an emergency declaration is no longer required. Some may be reluctant to endorse terminating an emergency declaration, even once the emergency situation has subsided. Termination of an emergency declaration usually comes as the result of significant progress made through an effective and appropriate emergency response, resulting in a significant reduction in the severity of the emergency situation.

❖ ***A "Sample" Emergency Termination Format is attached as Appendix 7 to this Plan.***

9.1 Authority to Terminate

The following have the legislative authority under the provisions of the Emergency Plans Act, to terminate any emergency declaration made by the Mayor, or Acting Mayor, of the City of Hamilton:

- Mayor, (or acting Mayor);
- Hamilton City Council; and/or
- Premier of Ontario.

9.2 Notice of Termination

Upon termination of an emergency declaration, the Mayor with the assistance of the Municipal Clerk, must ensure that the following are immediately notified:

- ☑ Members of Hamilton City Council;
- ☑ Chairman of the Region of Hamilton-Wentworth;
- ☑ Solicitor General of Ontario, through Emergency Measures Ontario;
- ☑ Local Member(s) of Provincial Parliament (MPP);
- ☑ Local Member(s) of Federal Parliament (MP);
- ☑ Area Municipal Councils;
- ☑ Local media; and,
- ☑ The public.

10.0 OTHER ORGANIZATIONS

10.1 Conservation Authorities

Should a flood situation develop in the City, and an emergency be declared to exist, not only must the Ministry of the Solicitor General and Correctional Services be notified, but the Ministry of Natural Resources must be notified as well. Notifications to the Ministry of Natural Resources will be made by the Local Flood Co-ordinator for the City of Hamilton, (District Manager of the Ministry of Natural Resources for the effected area).

The following is taken from a memorandum to all municipalities dated January 19, 1988 concerning Declaration of Flood Emergencies and Flood Response Plans, (G. Tough, then Deputy Minister of Natural Resources and J.D. Takach, Deputy Solicitor General, Ministry of the Solicitor General).

Provincial response is designed to assist in combating floods once a municipality determines its resources are not adequate to deal effectively with the situation.

In flood emergencies, the Mayor may declare that an emergency exists within their municipality, and may request Provincial assistance from the Ministry of Natural Resources, through Emergency Measures Ontario, by the following procedure:

- The Mayor contacts the local Flood Response Co-ordinator. The local Co-ordinator is the District Manager of the Ministry of Natural Resources for the effected area.
- If the local Co-ordinator cannot be contacted, the request for assistance should be routed through the local Conservation Authority.
- If someone in authority cannot be contacted, then a request for assistance should be made through the Provincial Flood Emergency Co-ordinator. The Provincial Flood Emergency Co-ordinator is available on a 24 hour/365 day basis, and may be contacted through the local Ontario Provincial Police Detachment, or by calling the Queen's Park Central Switchboard at (416) 314-1090 and asking for the Provincial Flood Emergency Co-ordinator on-call.

10.2 Utility Suppliers

Public, Private and Provincial Utilities may be requested to assist during a City emergency, and to provide a representative to advise the Emergency Control

Group. Arrangements must be in place through their own Emergency Plans to co-ordinate and liaise with the Emergency Control Group regarding issues of mutual concern, and the potential disruption of any utility service.

✸ ***NOTE: A representative of the Hamilton Hydro-Electric System is a "mandatory notification" member of the Emergency Support Group.***

10.3 Ontario Provincial Police

If an emergency occurs on Provincial Highways within the City, Hamilton-Wentworth Regional Police will notify the Ontario Provincial Police. Any actions or responsibilities required of the OPP, would be co-ordinated by Hamilton-Wentworth Regional Police. The OPP may be required to provide a representative on the Emergency Control Group when requested, and/or provide a representative on the Emergency Site Team.

10.4 District School Boards / Boards of Education

Public and/or Private schools may be an excellent resource to be used during City emergencies. If there is need to evacuate residents, schools are generally the first choice for use as reception/ evacuation centres to temporarily shelter persons displaced by the emergency. It is the responsibility of the Social Services Department of Regional Social & Public Health Services, to co-ordinate, and liaise with the local School Boards / Boards of Education to ensure that agreements are in place to facilitate access to and the use of their facilities when and if required. These provisions are included in the Regional Social & Public Health Services, Emergency Measures Plan.

10.5 Hospital Administration

There are several Hospitals located within the City, administered by Hospital Corporations, which include:

- Hamilton Health Sciences Corporation;
- St. Joseph's Hospital & Community Health Centre;
- St. Peters Hospital; and,
- Hamilton Psychiatric Hospital.

During an emergency, each Hospital Corporation Administrator will be responsible for:

- Implementing their own internal Hospital Emergency Plan as required,

- Liaising with the Medical Officer of Health, and Ambulance Services Supervisor in the Emergency Operations Centre regarding issues of mutual concern,
- Evaluating any requests for the provision of emergency medical teams at the emergency site, and
- Liaising with the Ministry of Health where required.

10.6 Critical Incident Stress Debriefing

In the Region of Hamilton-Wentworth, it is the responsibility of Social & Public Health Services to provide Public Health Nurses and in addition to arranging for short term or long term counselling with contracted services to respond to the needs of the affected public, during and post emergency, as required. It is also the responsibility of Social and Public Health Services to arrange with qualified organizations, such as the Canadian Centre for Emergency Preparedness (CCEP), to provide Critical Incident Stress Debriefing Teams, if necessary.

The Province of Ontario also co-ordinates a Provincial Critical Incident Stress Management (CISM) Program. This program is managed through the Ministry of the Solicitor General and Correctional Services, Emergency Measures Ontario. For information on the Provincial CISM Program or to liaise with the CISM Team, contact Emergency Measures Ontario at (416) 314-3723.

11.0 REQUESTS FOR ASSISTANCE

11.1 Requesting Assistance

It is possible that assistance may be required by the City of Hamilton to help successfully respond to an emergency situation. Assistance can take many forms including, additional personnel, specialized materials, equipment, or specific expertise. This assistance may come from various sources, either within or outside of the City. Therefore, procedures must be in place for requesting assistance from:

- The Region of Hamilton-Wentworth;
- The Province of Ontario; and,
- The Federal Government.

11.2 From the Regional Municipality of Hamilton-Wentworth

If, in the opinion of the Emergency Control Group, the resources of the City are, or will become insufficient to control the emergency situation, then assistance may be requested from the Region of Hamilton-Wentworth. Requesting assistance from the Region **does not** in itself **relinquish control** of the emergency from the City to the Region. If Regional assistance is requested outside of normal departmental or service working arrangements, the Mayor will make the request to the Regional Chairman.

11.3 From the Province of Ontario

Where Provincial assistance is required, which is outside of normal departmental or service working arrangements, the request will be made to:

- ***Emergency Measures Ontario/ Ministry of the Solicitor General***
  Duty Manager at (416) 314-3723
  After Hours, OPP General Headquarters at (705) 329-6950

Provincial assistance can be obtained directly by the Emergency Control Group or through the Emergency Measures Ontario Liaison Officer, who **may** be present at the Emergency Operations Centre, if requested by the municipality. If the City makes the request directly to the Provincial Government, the City must be prepared to be **billed** for services rendered.

Other Provincial Ministries which may be requested to assist, or who may have certain duties to perform during emergencies are as follows:

11.3.1 Ministry of Community and Social Services

The Ministry of Community and Social Services deals with emergency sheltering, clothing, feeding, victim registration & inquiry services, and other humanitarian aid.

11.3.2 Ministry of the Environment

The Ministry of Environment deals with releases of hazardous materials to the natural environment and has regulations in place requiring notification of releases of hazardous materials.

11.3.3 Ministry of Health

The Ministry of Health deals with control of large scale and wide spread epidemics, pandemics, and emergency health/ medical provisions such as ambulance services.

11.3.4 Ministry of Labour

The Ministry Labour deals with, emergency worker health and safety. The Ministry of Labour may be notified if an Emergency Declaration is made by the City of Hamilton.

11.3.5 Ministry of Municipal Affairs and Housing

The Ministry of Municipal Affairs and Housing deals with the co-ordination of extraordinary Provincial expenditures for emergency relief, under the provisions of the Ontario Disaster Assistance Program (ODRAP).

11.3.6 Ministry of Natural Resources

The Ministry of Natural Resources deals with controlling forest fires and flooding. The Ministry of Natural Resources will be notified if an Emergency Declaration is made by the City of Hamilton in response to flooding type emergency.

11.3.7 Ministry of the Solicitor General & Correctional Services

The Ministry of Solicitor General & Correctional Services deals with the co-ordination of Provincial Emergency Measures functions, Provincial jurisdiction over peacetime emergencies and wartime emergencies. The Ministry of the Solicitor General & Correctional Services, (through Emergency Measures

Ontario), will be notified if an Emergency Declaration is made by the City of Hamilton.

11.3.8 Ministry of Transportation

The Ministry of Transportation maintains Provincial Highways, and other transportation services.

11.3.9 Ministry of Energy, Science and Technology

The Ministry of Energy, Science and Technology deals with emergency energy supply matters.

11.4 From the Federal Government

Where Federal assistance is required outside of normal departmental or service working arrangements, any request for assistance **must** be made to the Federal Government Agency through Emergency Measures Ontario. This includes any request for assistance from CDN Forces.

12.0 EMERGENCY PUBLIC INFORMATION

12.1 Operational Concept

During an emergency it is essential that the City be able to co-ordinate the release of appropriate and factual information through the media to the public. This information may include issuing authoritative public action directives, responding to and/or redirecting requests for information from or to the public regarding any aspect of the emergency. In order to accomplish this, an Emergency Public Information Team should be established, and be headed by the Emergency Public Information Co-ordinator.

12.2 Emergency Public Information Team

The Emergency Public Information Team generally consists of the following positions, which operate according to the provision of the Emergency Public Information Plan:

- Emergency Public Information Co-ordinator
- Municipal Media Spokesperson
- On-Site Media Spokesperson(s)
- Public Inquiry Supervisor

12.3 Emergency Public Information Co-ordinator

The Emergency Public Information Co-ordinator is responsible for co-ordination of all media related functions and operations out of the Emergency Operations Centre.

- ***The individual responsibilities of the Emergency Public Information Co-ordinator are listed in Section 5 of this Plan – Emergency Support Group.***

12.4 Municipal Media Spokesperson

The lead Municipal spokesperson will always be the Mayor, (or Acting Mayor), of the City of Hamilton. He/she has the responsibility and authority to speak to the media on behalf of the City regarding any and all aspects of the emergency situation and municipal emergency operations. The Municipal Spokesperson will co-ordinate all media releases with the Emergency Public Information Co-ordinator and the City Manager, out of the Emergency Operations Centre. All media briefings will be conducted out of a "Media Centre" located at one of the

three following locations, depending upon which Emergency Operations Centre is in use, and if the direct access to local television is desired.

❖ ***The designated Media Centres are as follows:***

- Macassa Lodge Auditorium, (when the Primary EOC is in use);
- Theatre Aquarius, (when the Alternate EOC is in use); or,
- Hamilton City Council Chambers, (when the direct access to local television is required).

12.5 On-Site Media Spokesperson

The On Site Media Spokesperson will be appointed by the Emergency Site Co-ordinator upon consultation with the City Manager, and the Emergency Control Group. The Senior Communications Officer from the lead emergency response agency will usually fill this position. The On-Site Media Spokesperson must have experience dealing with the media, and not be in direct command over any emergency site operations.

The On-Site Media Spokesperson's individual responsibilities include, but are not limited to:

- Presenting the media with accurate, factual and approved information;
- Co-ordinating media tours of the emergency site as appropriate;
- Liaising with the Emergency Public Information Co-ordinator and the City Manager in the Emergency Operations Centre, regarding the nature of public inquiries, and what information to present to the public; and,
- Ensuring that all areas of the emergency site (where the media are and are not allowed to be) are controlled through co-ordination with Regional Police staff providing the emergency site security.

12.6 Public Inquiry Supervisor

The Public Inquiry Supervisor is tasked with the establishment and management of a Public Inquiry Bureau, during City emergencies. The Public Inquiry Supervisor is also responsible for:

- Establishing a Public Inquiry Bureau, including designating staff and Public Inquiry telephone lines, at Hamilton City Hall, or co-ordinating this service at other locations as required.
- Informing the Emergency Public Information Co-ordinator regarding of the establishment of the Public Inquiry Bureau and the designated Public Inquiry telephone numbers.

- Continually liaising with the Emergency Public Information Co-ordinator to obtain current information on the emergency.
- Responding to, and redirecting inquiries and reports from the public based upon information from the Emergency Public Information Co-ordinator, as approved by the City Manager and the Mayor.
- Responding to, and redirecting inquiries pertaining to the investigation of the emergency, deaths, injuries or matters of personnel involved with or affected by the emergency to the appropriate emergency service or agency.
- Responding to, and redirecting inquiries pertaining to persons who may be located in any municipal reception/evacuation centres, to the registration and inquiry telephone number(s) at the appropriate Red Cross Branch Headquarters, or at the reception/evacuation centre, as designated by the Emergency Control Group

12.7 Emergency Public Information Plan

- ***The Emergency Public Information Plan is attached as Annex C to this Plan, and is maintained under separate cover.***

13.0 PLAN MAINTENANCE & TESTING

13.1 Plan Maintenance

The Emergency Planning Officer is responsible for maintaining this Emergency Plan.

13.1.1 Annual Review

Any proposed changes to this Emergency Plan will be submitted to the Emergency Planning Officer. All proposed changes to this Emergency Plan will be presented for review to the Emergency Control Group. Each review will be co-ordinated by the Emergency Planning Officer, and conducted prior to the end of each calendar year.

13.1.2 Major Revisions

Any proposed major revision to this Emergency Plan must be presented to the Hamilton Emergency Control Group. Major revisions to this Plan will only be approved through a recommendation of the Emergency Control Group, and may be presented to Hamilton City Council, at the direction of the Emergency Control Group.

13.1.3 Minor Revisions

Minor revisions to this Emergency Plan will be co-ordinated by the Emergency Planning Officer, and may be brought before the Emergency Control Group.

13.1.4 Emergency Notification Form

The Emergency Notification Form attached as Appendix 2 of this plan, will be reviewed every three months to ensure the information is kept accurate and up to date.

13.2 Plan Distribution

If any major revisions are made to this Emergency Plan, the amended plan may be reprinted and re-circulated in its entirety, and distributed according to the "Distribution List" attached as Appendix 9 to this plan.

If any minor revisions are made to this Emergency Plan, notice of the amendment and any other required changes, will be distributed according to the "Distribution List" attached as Appendix 9 to this plan.

13.3 Agency Responsibility

It is the responsibility of each organization and department noted within this Emergency Plan to inform the Emergency Planning Officer regarding any changes, revisions or additions affecting the contents of this Emergency Plan or any appendices.

13.4 Testing the Emergency Plan

This Emergency Plan will be tested on a regular basis to ensure that the contents remain current and up to date.

13.4.1 Annual Exercise

The Emergency Plan will be tested a minimum of once annually using exercises. Exercises will be designed and co-ordinated by the Emergency Planning Officer to accomplish the following:

- Test the effectiveness of the emergency plan;
- Train municipal emergency personnel; and/or,
- Test any other component of the Emergency Preparedness Program.

13.4.2 Telecommunications Exercise

A Telecommunications Exercise will be conducted a minimum of every two years. Telecommunications Exercises will be designed and conducted by the Emergency Planning Officer in co-operation with the Telecommunications Co-ordinator, and representatives of various departments and organizations.

13.4.3 Field Exercise

A Field Exercise will be conducted on an "as required basis" at the direction of the Emergency Control Group.

13.4.4 Testing the Emergency Notification Procedure

The Emergency Notification Procedure will be exercised at least twice annually using the "Exercise Contact" procedure attached as Appendix 7 of this plan. Regional Police Communications Staff will conduct these exercises, at the direction of the Emergency Planning Officer.

- ***These exercises may be conducted without any prior notice, but will be conducted within reasonable time frames.***

13.5 Maintaining Telecommunications Equipment & Training

All telecommunications equipment will be maintained on a regular basis to ensure its operation in the event of a municipal emergency.

13.5.1 Voice Telecommunications Equipment

The emergency voice telecommunications equipment will be maintained by the Telecommunications Co-ordinator on a regular basis, according to his/her own internal maintenance schedule.

13.5.2 Portable Voice Radio Training

Portable voice radio training for all Emergency Operations Centre Staff, will be co-ordinated by the Emergency Planning Officer, in co-operation with the Telecommunications Co-ordinator, and conducted on an as required basis to ensure that all EOC staff know how use the voice radio equipment properly.

13.6 Internal Organization Plans & Procedures

Each organization involved with municipal emergency response should prepare functional emergency procedures, outlining their operations and responsibilities during a municipal emergency. This emergency procedure will be maintained internally by a staff member of each organization.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 14-Jun-99

REPORT TO: Chairman and Members
Finance and Administration Committee

FROM: Allan C. Ross
General Manager, Finance

SUBJECT: Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners as outlined in Schedule "A" to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994;

(b) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

(c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the General Manager, Finance should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports required.

/WDD

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.99-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1999, A.D.,

MUNICIPAL CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

1)	PROPERTY ADDRESS	72 RAY ST. S.
	SERIAL NUMBER	01 00940 5160
	REDEMPTION DATE	SEPTEMBER 9, 1999
2)	PROPERTY ADDRESS	219 EAST 13TH
	SERIAL NUMBER	07 08110 7400
	REDEMPTION DATE	NOVEMBER 26, 1999
3)	PROPERTY ADDRESS	130 SIMCOE ST. E.
	SERIAL NUMBER	02 01620 0790
	REDEMPTION DATE	SEPTEMBER 9, 1999
4)	PROPERTY ADDRESS	346 GUELPH ST.
	SERIAL NUMBER	05 03850 8310
	REDEMPTION DATE	SEPTEMBER 9, 1999
5)	PROPERTY ADDRESS	38 MYRTLE AVE.
	SERIAL NUMBER	03 02420 2810
	REDEMPTION DATE	SEPTEMBER 9, 1999
6)	PROPERTY ADDRESS	145 RICE AVE
	SERIAL NUMBER	08 10710 5190
	REDEMPTION DATE	September 9, 1999
7)	PROPERTY ADDRESS	1320 BARTON ST. E.
	SERIAL NUMBER	04 03145 9300
	REDEMPTION DATE	NOVEMBER 26, 1999
8)	PROPERTY ADDRESS	61 JOHN ST. S.
	SERIAL NUMBER	02 01445 6270
	REDEMPTION DATE	JANUARY 5, 2000
9)	PROPERTY ADDRESS	455 MELVIN AVE.
	SERIAL NUMBER	05 04920 5060
	REDEMPTION DATE	SEPTEMBER 9, 1999
10)	PROPERTY ADDRESS	458 EAST 38TH ST.
	SERIAL NUMBER	07 06320 5690
	REDEMPTION DATE	SEPTEMBER 9, 1999
11)	PROPERTY ADDRESS	180 LIMERIDGE RD. W. #206
	SERIAL NUMBER	08 09840 0512
	REDEMPTION DATE	SEPTEMBER 15, 1999
12)	PROPERTY ADDRESS	7 ROWANWOOD ST.
	SERIAL NUMBER	04 02880 4640
	REDEMPTION DATE	SEPTEMBER 15, 1999
13)	PROPERTY ADDRESS	585 CORBETT ST.
	SERIAL NUMBER	05 05010 4720
	REDEMPTION DATE	SEPTEMBER 15, 1999
14)	PROPERTY ADDRESS	196 SHERMAN AVE. S.
	SERIAL NUMBER	03 02460 7950
	REDEMPTION DATE	NOVEMBER 26 1999
15)	PROPERTY ADDRESS	226 PICTON ST. E.
	SERIAL NUMBER	02 01710 3960
	REDEMPTION DATE	NOVEMBER 26, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16)	PROPERTY ADDRESS	51 BRISTOL ST.
	SERIAL NUMBER	03 02370 0760
	REDEMPTION DATE	SEPTEMBER 29, 1999
17)	PROPERTY ADDRESS	77 BEACH BLVD.
	SERIAL NUMBER	05 05140 4330
	REDEMPTION DATE	SEPTEMBER 29, 1999
18)	PROPERTY ADDRESS	7 PATRICK ST.
	SERIAL NUMBER	02 01435 2950
	REDEMPTION DATE	NOVEMBER 26, 1999
19)	PROPERTY ADDRESS	44 EVANS ST.
	SERIAL NUMBER	03 02130 7740
	REDEMPTION DATE	SEPTEMBER 29, 1999
20)	PROPERTY ADDRESS	175 HUNTER ST. E. #203
	SERIAL NUMBER	02 01445 0500
	REDEMPTION DATE	September 29 ,1999
21)	PROPERTY ADDRESS	72 BIRCH AVE.
	SERIAL NUMBER	03 02345 4010
	REDEMPTION DATE	SEPTEMBER 29, 1999
22)	PROPERTY ADDRESS	515 MAIN ST. E. #16
	SERIAL NUMBER	03 02310 1177
	REDEMPTION DATE	SEPTEMBER 29, 1999
23)	PROPERTY ADDRESS	515 MAIN ST. E. #3
	SERIAL NUMBER	03 02310 1192
	REDEMPTION DATE	SEPTEMBER 29, 1999
24)	PROPERTY ADDRESS	515 MAIN ST. E. #12
	SERIAL NUMBER	03 02310 1201
	REDEMPTION DATE	SEPTEMBER 29, 1999
25)	PROPERTY ADDRESS	515 MAIN ST. E. #1
	SERIAL NUMBER	03 02310 1171
	REDEMPTION DATE	SEPTEMBER 29, 1999
26)	PROPERTY ADDRESS	16 GIBSON AVE.
	SERIAL NUMBER	003 02350 5050
	REDEMPTION DATE	OCTOBER 6, 1999
27)	PROPERTY ADDRESS	399 MARY ST.
	SERIAL NUMBER	02 01660 4970
	REDEMPTION DATE	OCTOBER 6, 1999
28)	PROPERTY ADDRESS	75 FRANCIS ST.
	SERIAL NUMBER	03 02220 4920
	REDEMPTION DATE	OCTOBER 6, 1999
29)	PROPERTY ADDRESS	192 KENSINGTON AVE. N.
	SERIAL NUMBER	04 02840 6950
	REDEMPTION DATE	OCTOBER 6, 1999
30)	PROPERTY ADDRESS	210 KENILWORTH AVE. N.
	SERIAL NUMBER	04 03310 1330
	REDEMPTION DATE	NOVEMBER 16, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31)	PROPERTY ADDRESS	39 STANLEY AVE.
	SERIAL NUMBER	01 00930 3550
	REDEMPTION DATE	NOVEMBER 16, 1999
32)	PROPERTY ADDRESS	161 WENTWORTH ST. N.
	SERIAL NUMBER	03 02180 7130
	REDEMPTION DATE	NOVEMBER 16, 1999
33)	PROPERTY ADDRESS	30 DELAWARE AVE.
	SERIAL NUMBER	03 02420 6170
	REDEMPTION DATE	NOVEMBER 16, 1999
34)	PROPERTY ADDRESS	259 JOHN ST. S.
	SERIAL NUMBER	02 01420 2590
	REDEMPTION DATE	NOVEMBER 16, 1999
35)	PROPERTY ADDRESS	215 WEXFORD AVE. S.
	SERIAL NUMBER	04 03040 7170
	REDEMPTION DATE	NOVEMBER 16, 1999
36)	PROPERTY ADDRESS	207 BEACH BLVD.
	SERIAL NUMBER	05 05140 3400
	REDEMPTION DATE	NOVEMBER 16, 1999
37)	PROPERTY ADDRESS	90 GERTRUDE ST.
	SERIAL NUMBER	04 02880 0700
	REDEMPTION DATE	NOVEMBER 16,1999
38)	PROPERTY ADDRESS	118 STEVEN ST.
	SERIAL NUMBER	03 02140 5390
	REDEMPTION DATE	NOVEMBER 16, 1999
39)	PROPERTY ADDRESS	22 QUINLAN CRT.
	SERIAL NUMBER	06 07010 3145
	REDEMPTION DATE	NOVEMBER 16, 1999
40)	PROPERTY ADDRESS	733 KING ST. E.
	SERIAL NUMBER	03 02325 6230
	REDEMPTION DATE	DECEMBER 12, 1999
41)	PROPERTY ADDRESS	186 TOLTON AVE.
	SERIAL NUMBER	05 03820 3910
	REDEMPTION DATE	JANUARY 19, 2000
42)	PROPERTY ADDRESS	297 WEST 18TH
	SERIAL NUMBER	08 09810 5840
	REDEMPTION DATE	JANUARY 5, 2000
43)	PROPERTY ADDRESS	68 HILLYARD ST.
	SERIAL NUMBER	03 02240 5380
	REDEMPTION DATE	JANUARY 5, 2000
44)	PROPERTY ADDRESS	325 BARTON ST. E.
	SERIAL NUMBER	03 02150 6290
	REDEMPTION DATE	JANUARY 5, 2000
45)	PROPERTY ADDRESS	43 ROWENA CRT.
	SERIAL NUMBER	06 07010 4736
	REDEMPTION DATE	JANUARY 5, 2000
46)	PROPERTY ADDRESS	188 CANNON ST. E.
	SERIAL NUMBER	02 01820 6200
	REDEMPTION DATE	JANUARY 5, 2000

SCHEDULE "A"
EXTENSION AGREEMENTS

47)	PROPERTY ADDRESS	210 BURLINGTON ST. E.
	SERIAL NUMBER	02 01710 7820
	REDEMPTION DATE	JANUARY 5, 2000
48)	PROPERTY ADDRESS	274 LAKE AVE. N.
	SERIAL NUMBER	05 04810 7780
	REDEMPTION DATE	JANUARY 5, 2000

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 21

REPORT TO: Chairman and Members
Finance and Administration Committee

FROM: Auditor Selection Committee

SUBJECT: Appointment of External Auditor

RECOMMENDATION:

(a) That the firm of KPMG, Chartered Accountants, be appointed as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention facilities, Inc., Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, Municipal Non-Profit (Hamilton) Housing Corporation, Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc. and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1999 at the fee of $89,400 (inclusive of expenses, exclusive of GST).

(b) That the necessary By-law be passed and enacted by City Council.

Mayor Glen Etherington
Chairman, Auditor Selection Committee

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As proposed by the firm of KPMG, Chartered Accountants, the 1999 audit fee for the City of Hamilton, Local Boards, the Hamilton Hydro Electric System and all affiliated organizations amounts to $89,400, (inclusive of expenses, exclusive of GST). This is based on the firm being awarded the audits of both the City of Hamilton and the Regional Municipality of Hamilton-Wentworth. The amount is a reduction of $25,265 (22% decrease) over the fee approved by City Council for the 1998 year.

BACKGROUND:

On April 27, 1999, City Council approved the issuance of a Request for Proposal for external audit services for a five year term commencing with fiscal 1999, renewable annually after the completion of the financial statement audit. As a result of that proposal call, five responses were received. One was disqualified for failure to include required documentation. The remaining four proposals were reviewed by staff and three firms were short-listed to make presentations to the joint Auditor Selection Committee consisting of two appointees from the City of Hamilton, Aldermen O'Sullivan and Collins, two appointees from the Region, Mayor Etherington and Councillor Charters, the General Manager of Finance (and his designate) and the Internal Auditor. Following the presentations, the Auditor Selection Committee decided that two firms, KPMG and Ernst & Young, could equally service the corporation. The proposals were generally comparable and both firms appeared equally strong in reputation, technical experience and responsiveness to the terms of reference of the RFP. The difference in fees over the proposed five year term was inconsequential. Further discussions were held and a check of the references provided by the firms was completed.

In the spirit of the amalgamation of the administrations of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth into a new organization, it may be beneficial to have a set of "new eyes" with no prior direct audit involvement with either organization provide a fresh perspective. In addition, the local office of KPMG, which would be responsible for the audit of the City of Hamilton, includes the Regional Municipalities of Halton and Niagara, the City of Burlington and the towns of Ancaster and Flamborough among its clients. Thus, the Auditor Selection Committee recommends KPMG.

The proposed fees for the City of Hamilton audit have decreased approximately 22% from the prior year, mainly due to savings to be realized by the same audit firm completing the audits of both the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

CITY OF HAMILTON

INFORMATION

DATE: 1999 June 25

REPORT TO: Susan Reeder, Secretary
Finance & Administration Committee

FROM: Lee Ann Coveyduck, General Manager
Community Planning & Development Division

SUBJECT: Licensed Parking Lots - Enforcement of New Standards (99.2.4.2.1.A) (PDC-99032)

BACKGROUND:

In the spring of 1998, Council at a Committee of the Whole meeting, directed staff to look at ways to improve the appearance of parking lots in the downtown area.

In response to these concerns, Building Department staff compiled an inventory of all licensed parking lots. From the inventory and site inspections, it was determined that controls were necessary for paving, drainage, wheel stops, weeds, litter control, fencing, landscaping, lighting, and use of the road allowance.

On 1998 June 30, City Council passed an amendment to the licensing by-law which legislated new requirements for all public licensed parking lots. The new requirements matched the standards already in the zoning by-law, which applied to any new parking lot. At the time of the passing of the regulation, a one-year delay in applying the requirements was approved.

In 1999 March, the Building Department sent formal notification to all licensed parking lot owners and operators that new regulations were about to become effective 1999 June 30. Licence Inspectors began site inspections and Orders and Notices were sent to owners and operators. Of the forty-nine private parking lots inspected to date, the following deficiencies have been identified.

- Lack of paving - about 20% are graveled
- Lack of onsite drainage control
- Absence of planting strips and landscaping
- Lack of lighting
- Use of road allowance for parking

.../2

After the Building Department began to issue Notices of Non-Compliance, parking lot owners and operators raised concerns to Mayor Morrow pertaining to the effect of the by-law. On 1999 May 12, a meeting was held in the Mayor's Office with Aldermen Corsini and Horwath and a number of parking lot owners to discuss these concerns about the implementation of the by-law requirements. Their concerns were as follows:

- Cost of providing paving, drainage, and landscaping.
- Loss of parking spaces due to landscaping.
- Loss of parking spaces if road allowance encroachment not permitted.
- Gravel should be permitted.
- Lighting levels too difficult to achieve.
- Maintenance of landscaping too difficult due to vandalism and lack of water.
- Implementation date too soon.
- Most lots are only temporary and standards should be reduced.
- Cost of requirements difficult to recover due to low parking rates.

On 1999 May 18, Mayor Morrow raised the owners' concerns at the City Finance and Administration Committee meeting. The Committee agreed that staff be requested to determine the operators' concerns and to report back at the 1999 July 6 Committee of the Whole meeting.

Staff met with the parking lot owners and operators on two occasions, 1999 June 6 and June 22 to discuss concerns and solutions. The meetings have identified the following issues respecting the by-law requirements:

- Landscaping is expensive, difficult to maintain, and reduces the number of parking spaces.
- Paving requirement is expensive and not economically feasible.
- Use of the road allowance is necessary, otherwise it results in reductions of parking spaces.
- Requirements for new parking lots are acceptable, however, for existing lots the standards are too high.

To clearly understand the impact of the requirements 3 separate downtown parking lots were examined in detail.

a) 180 Main Street West -- existing lot contains 200 parking spaces. Landscaping will eliminate 29 spaces and preventing parking on the road allowance will eliminate another 30 spaces. The parking surface currently encroaches about 8' onto the road allowance.

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b) 181 Main Street East/130 King Street East -- this is a newly established parking lot with 112 parking spaces. Compliance with the requirements would reduce the parking to 78 spaces.

c) 284 King Street East -- existing lot contains 86 parking spots. A total of 32 spaces would be lost mainly due to landscaping.

LOT	EXISTING PARKING SPACES	SPACES ELIMINATED BY BY-LAW	% OF REDUCTION
1	200	59	29.5%
2	112	34	30.0%
3	86	32	37.0%

After discussing the problems and concerns, the owners and operators have proposed the following solutions:

For immediate action:

- Provide a mechanism for obtaining variances from the by-law requirement.
- Extend the time for compliance to 2000 June 30.
- Form a task force to continue discussions comprised of two Aldermen, four owners/operators, and required staff.
- Extend the time for plot plan submission to 1999 October 1.

For examination and review:

- Each site should be examined individually on its own merit to see what standards can be applied.
- Allow individual trees instead of landscaping strips.
- Allow hard landscaping to minimize maintenance. (NB: By-law currently only requires 50% to be natural planting.)
- Allow the use of "dead areas" for landscaping (areas which cannot be utilized for parking such as corners).
- Allow the use of the road allowance for required landscaping.
- Develop an equivalent percentage of the lot instead of a 2m strip for required landscaping,
- Allow the use of planter boxes on poles and barriers as landscaping.
- Allow the use of the road allowance for parking spaces subject to an encroachment agreement.

.../4

- Recognize parking lots as a temporary use only and not impose such stringent standards.
- Develop a landscaping ratio based on lot size.

SUMMARY

The meetings with parking lot owners and operators have been fruitful in identifying their concerns and the problems with complying with the standards of the by-law. A number of owner/operators stated that implementation of the standards would seriously affect the economic viability of their business.

LAC/LCK/PCL/dm

22(a)

Bill D-23

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.99-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and Municipal Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 6 th day of July 1999, A.D.,

MUNICIPAL CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

1)	PROPERTY ADDRESS	72 RAY ST. S.
	SERIAL NUMBER	01 00940 5160
	REDEMPTION DATE	SEPTEMBER 9, 1999
2)	PROPERTY ADDRESS	219 EAST 13TH
	SERIAL NUMBER	07 08110 7400
	REDEMPTION DATE	NOVEMBER 26, 1999
3)	PROPERTY ADDRESS	130 SIMCOE ST. E.
	SERIAL NUMBER	02 01620 0790
	REDEMPTION DATE	SEPTEMBER 9, 1999
4)	PROPERTY ADDRESS	346 GUELPH ST.
	SERIAL NUMBER	05 03850 8310
	REDEMPTION DATE	SEPTEMBER 9, 1999
5)	PROPERTY ADDRESS	38 MYRTLE AVE.
	SERIAL NUMBER	03 02420 2810
	REDEMPTION DATE	SEPTEMBER 9, 1999
6)	PROPERTY ADDRESS	145 RICE AVE
	SERIAL NUMBER	08 10710 5190
	REDEMPTION DATE	September 9, 1999
7)	PROPERTY ADDRESS	1320 BARTON ST. E.
	SERIAL NUMBER	04 03145 9300
	REDEMPTION DATE	NOVEMBER 26, 1999
8)	PROPERTY ADDRESS	61 JOHN ST. S.
	SERIAL NUMBER	02 01445 6270
	REDEMPTION DATE	JANUARY 5, 2000
9)	PROPERTY ADDRESS	455 MELVIN AVE.
	SERIAL NUMBER	05 04920 5060
	REDEMPTION DATE	SEPTEMBER 9, 1999
10)	PROPERTY ADDRESS	458 EAST 38TH ST.
	SERIAL NUMBER	07 06320 5690
	REDEMPTION DATE	SEPTEMBER 9, 1999
11)	PROPERTY ADDRESS	180 LIMERIDGE RD. W. #206
	SERIAL NUMBER	08 09840 0512
	REDEMPTION DATE	SEPTEMBER 15, 1999
12)	PROPERTY ADDRESS	7 ROWANWOOD ST.
	SERIAL NUMBER	04 02880 4640
	REDEMPTION DATE	SEPTEMBER 15, 1999
13)	PROPERTY ADDRESS	585 CORBETT ST.
	SERIAL NUMBER	05 05010 4720
	REDEMPTION DATE	SEPTEMBER 15, 1999
14)	PROPERTY ADDRESS	196 SHERMAN AVE. S.
	SERIAL NUMBER	03 02460 7950
	REDEMPTION DATE	NOVEMBER 26 1999
15)	PROPERTY ADDRESS	226 PICTON ST. E.
	SERIAL NUMBER	02 01710 3960
	REDEMPTION DATE	NOVEMBER 26, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16) PROPERTY ADDRESS	51 BRISTOL ST.
SERIAL NUMBER	03 02370 0760
REDEMPTION DATE	SEPTEMBER 29, 1999
17) PROPERTY ADDRESS	77 BEACH BLVD.
SERIAL NUMBER	05 05140 4330
REDEMPTION DATE	SEPTEMBER 29, 1999
18) PROPERTY ADDRESS	7 PATRICK ST.
SERIAL NUMBER	02 01435 2950
REDEMPTION DATE	NOVEMBER 26, 1999
19) PROPERTY ADDRESS	44 EVANS ST.
SERIAL NUMBER	03 02130 7740
REDEMPTION DATE	SEPTEMBER 29, 1999
20) PROPERTY ADDRESS	175 HUNTER ST. E. #203
SERIAL NUMBER	02 01445 0500
REDEMPTION DATE	September 29 ,1999
21) PROPERTY ADDRESS	72 BIRCH AVE.
SERIAL NUMBER	03 02345 4010
REDEMPTION DATE	SEPTEMBER 29, 1999
22) PROPERTY ADDRESS	515 MAIN ST. E. #16
SERIAL NUMBER	03 02310 1177
REDEMPTION DATE	SEPTEMBER 29, 1999
23) PROPERTY ADDRESS	515 MAIN ST. E. #3
SERIAL NUMBER	03 02310 1192
REDEMPTION DATE	SEPTEMBER 29, 1999
24) PROPERTY ADDRESS	515 MAIN ST. E. #12
SERIAL NUMBER	03 02310 1201
REDEMPTION DATE	SEPTEMBER 29, 1999
25) PROPERTY ADDRESS	515 MAIN ST. E. #1
SERIAL NUMBER	03 02310 1171
REDEMPTION DATE	SEPTEMBER 29, 1999
26) PROPERTY ADDRESS	16 GIBSON AVE.
SERIAL NUMBER	003 02350 5050
REDEMPTION DATE	OCTOBER 6, 1999
27) PROPERTY ADDRESS	399 MARY ST.
SERIAL NUMBER	02 01660 4970
REDEMPTION DATE	OCTOBER 6, 1999
28) PROPERTY ADDRESS	75 FRANCIS ST.
SERIAL NUMBER	03 02220 4920
REDEMPTION DATE	OCTOBER 6, 1999
29) PROPERTY ADDRESS	192 KENSINGTON AVE. N.
SERIAL NUMBER	04 02840 6950
REDEMPTION DATE	OCTOBER 6, 1999
30) PROPERTY ADDRESS	210 KENILWORTH AVE. N.
SERIAL NUMBER	04 03310 1330
REDEMPTION DATE	NOVEMBER 16, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31) PROPERTY ADDRESS	39 STANLEY AVE.
SERIAL NUMBER	01 00930 3550
REDEMPTION DATE	NOVEMBER 16, 1999
32) PROPERTY ADDRESS	161 WENTWORTH ST. N.
SERIAL NUMBER	03 02180 7130
REDEMPTION DATE	NOVEMBER 16, 1999
33) PROPERTY ADDRESS	30 DELAWARE AVE.
SERIAL NUMBER	03 02420 6170
REDEMPTION DATE	NOVEMBER 16, 1999
34) PROPERTY ADDRESS	259 JOHN ST. S.
SERIAL NUMBER	02 01420 2590
REDEMPTION DATE	NOVEMBER 16, 1999
35) PROPERTY ADDRESS	215 WEXFORD AVE. S.
SERIAL NUMBER	04 03040 7170
REDEMPTION DATE	NOVEMBER 16, 1999
36) PROPERTY ADDRESS	207 BEACH BLVD.
SERIAL NUMBER	05 05140 3400
REDEMPTION DATE	NOVEMBER 16, 1999
37) PROPERTY ADDRESS	90 GERTRUDE ST.
SERIAL NUMBER	04 02880 0700
REDEMPTION DATE	NOVEMBER 16,1999
38) PROPERTY ADDRESS	118 STEVEN ST.
SERIAL NUMBER	03 02140 5390
REDEMPTION DATE	NOVEMBER 16, 1999
39) PROPERTY ADDRESS	22 QUINLAN CRT.
SERIAL NUMBER	06 07010 3145
REDEMPTION DATE	NOVEMBER 16, 1999
40) PROPERTY ADDRESS	733 KING ST. E.
SERIAL NUMBER	03 02325 6230
REDEMPTION DATE	DECEMBER 12, 1999
41) PROPERTY ADDRESS	186 TOLTON AVE.
SERIAL NUMBER	05 03820 3910
REDEMPTION DATE	JANUARY 19, 2000
42) PROPERTY ADDRESS	297 WEST 18TH
SERIAL NUMBER	08 09810 5840
REDEMPTION DATE	JANUARY 5, 2000
43) PROPERTY ADDRESS	68 HILLYARD ST.
SERIAL NUMBER	03 02240 5380
REDEMPTION DATE	JANUARY 5, 2000
44) PROPERTY ADDRESS	325 BARTON ST. E.
SERIAL NUMBER	03 02150 6290
REDEMPTION DATE	JANUARY 5, 2000
45) PROPERTY ADDRESS	43 ROWENA CRT.
SERIAL NUMBER	06 07010 4736
REDEMPTION DATE	JANUARY 5, 2000
46) PROPERTY ADDRESS	188 CANNON ST. E.
SERIAL NUMBER	02 01820 6200
REDEMPTION DATE	JANUARY 5, 2000

SCHEDULE "A"
EXTENSION AGREEMENTS

47) PROPERTY ADDRESS	210 BURLINGTON ST. E.
SERIAL NUMBER	02 01710 7820
REDEMPTION DATE	JANUARY 5, 2000
48) PROPERTY ADDRESS	274 LAKE AVE. N.
SERIAL NUMBER	05 04810 7780
REDEMPTION DATE	JANUARY 5, 2000

Bill No. D-24

22(b)

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

To Repeal By-law Nos. 86-164 and 94-187:

And to Enact a By-law respecting

THE EMERGENCY PLAN
FOR THE CORPORATION OF THE CITY OF HAMILTON

WHEREAS Section 3 of the *Emergency Plans Act*, R.S.O. 1990, Chapter E.9. provides as follows:

3(1) The council of a municipality may pass a by-law formulating or providing for the formulation of an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other person will respond to the emergency.

(2) A by-law under subsection (1) may provide for money associated with the formulation and implementation of the emergency plan.

(3) The council of a county may with the consent of the councils of the municipalities situated within the county co-ordinate and assist in the formulation of their emergency plans under subsection (1).

(4) The Lieutenant Governor in Council may designate municipalities that shall have an emergency plan respecting the type of emergency specified in the designation and, where so designated, a municipality shall formulate or provide for the formulation of the emergency plan. 1983, c. 30, s. 3.

AND WHEREAS By-law No. 86-164 was enacted by City Council on May 13th, 1986 to formulate a municipal emergency plan.

AND WHEREAS By-law No. 94-187 was enacted by City Council on November 8th, 1994 to amend By-law No. 86-164 as it related to offences and provided for further administrative provisions and the updating of the Emergency Plan.

AND WHEREAS City Council, in adopting Section (section) of the (no.)th Report of the Finance and Administration Committee on (date), 1999 authorized this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. DEFINITIONS:

In this by-law,

(a) Act means the *Emergency Plans Act*, R.S.O. 1990, Chapter E. 9.;
(b) Corporation means the City of Hamilton;
(c) Council means the Council of the City of Hamilton;
(d) Emergency means a situation or threat of an impending situation, which abnormally affects the lives, health, safety and property of the residents of the City. An emergency by nature or magnitude, require a controlled and co-ordinated response by multiple agencies, (both governmental and/or non-governmental), under the direction of the appropriate municipal officials. An emergency is distinct from routine operations carried out as normal daily operating procedures by municipal agencies, departments or services, such as fire suppression, policing activities, road maintenance, etc.;
(e) Emergency Control Group means the group comprised of the Mayor, City Manager, Chiefs, and other Department Heads, as set out in the Emergency Plan, who

collectively act as the main decision making authority during City emergencies and is responsible for advising of all action taken with respect to an emergency.

(f) Emergency Plan means a plan formulated pursuant to this by-law provision of necessary services during an emergency and the employees of the Corporation and other persons to respond to an emergency;

2. HAMILTON EMERGENCY PLAN

(a) The emergency plan hereto annexed as "Schedule 1" and entitled "City of Hamilton Emergency Plan" shall be the emergency plan of the City of Hamilton.

3. DECLARING AN EMERGENCY TO EXIST

(a) The Mayor (or Acting Mayor) has the legislative authority under the Act to declare an "Emergency to Exist" within the boundaries of the City of Hamilton. The decision to declare an emergency to exist is made by the Mayor, in likely consultation with the members of the Emergency Control Group.

(b) Upon declaring an emergency to exist, the Mayor with the assistance of the Municipal Clerk shall immediately notify the following:

(i) members of Council;
(ii) the Chairman of the Regional Municipality of Hamilton-Wentworth;
(iii) the Solicitor General of Ontario, through the auspices of Emergency Measures Ontario;
(iv) local member(s) of Provincial Parliament;
(v) local member(s) of Federal Parliament;
(vi) elected Heads of Council of the area municipalities;
(vii) local media; and
(viii) the public

4. ADMINISTRATION

(a) The Municipal Emergency Plan formulated pursuant to this by-law, with the exception of the portions excluded from public record for security reasons, shall be be made available to the public for inspection and copying at the office of the Municipal Clerk during office hours.

(b) The following by-laws are hereby repealed:

(i) By-law No. 86-164; and
(ii) By-law No. 94-187.

(c) This by-law shall come into force on the date of its enactment.

(d) The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this day of 1999, A.D.

MUNICIPAL CLERK MAYOR

22(c)

Bill No. D-25

BY-LAW NO. 99 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 6TH DAY OF JULY, 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 6th day of July A.D. 1999

MUNICIPAL CLERK MAYOR

JOINT BUDGET STEERING COMMITTEE

BACKGROUND MATERIAL

CITY OF HAMILTON / REGION OF HAMILTON WENTWORTH

-RECOMMENDATION-

DATE: June 21, 1999

REPORT TO: Chairman and Members
Budget Steering Committee

FROM: D.A. Lychak
City Manager

Allan C. Ross
General Manager of Finance

SUBJECT: Year 2000 Budget Process and Guidelines

RECOMMENDATION:

1) That the Year 2000 Budget Committees and Membership thereof as outlined in Appendix "A" be approved.

2) That the Year 2000 Budget Timetable (attached Appendix "B") be approved, and that the Corporate Services Department be authorized to set up all meetings as outlined on the Timetable.

3) That the Year 2000 Budget Guidelines Option #___ (attached Appendix "C") be approved.

4) That the Budget Funding Policies outlined on the attached Appendix "D" be approved.

D.A. Lychak

Allan C. Ross

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The past few budget years have been challenging for staff and council. Trying to complete the budget process in a reasonable time has been difficult due to Provincial Downloading, restructuring and pressures associated with reducing costs. In response to Council suggestions and in an effort of streamline the budget process staff is bringing forward a method that will result in the budget process being completed by December 14th 1999.

From a staff point of view, completing the budget early will allow for more resources to be allocated to the year end process to accelerate its completion and in turn allow for time to conduct more comprehensive review and analysis of operational activities. It will also allow for budgetary control to be fully operational for the entire budget year, enabling better operational planning and control.

Communication / Committees:

The attached Appendix "A" outlines the proposals for all Budget Committees. Significant changes are being proposed in the area of public input and communication. It is being recommended that two public meetings be introduced to solicit input from all concerned citizens. This forum will allow staff and Council to listen to the public in a less formal setting to respond to concerns and to evaluate any suggestions. If approved, staff will report back with respect to the details. At this point, two meetings are being proposed, one for the Capital Budget and one for the Current Budget. To complement and assist in the public meetings, the Communications Division will work with Budget staff to prepare all appropriate correspondence. As well, the Communications Work Team will develop correspondence strategies to keep all staff informed throughout the process.

Timetable:

Appendix "B" is the detailed Budget Timetable. The timetable runs from September to mid December. The three months allow for detailed review by BSC and Committee of the Whole of all Departmental Budgets, as well as detailed Capital Budget reviews. It allows for public input and sufficient time for staff to address any issues or requests that may arise during the process.

Year 2000 Budget Guidelines:

In order for the target deadline to be met, staff will prepare detailed budgets for submission on September 10th. To accomplish this targets must be set prior to the end of June. This will allow the staff the summer months to complete all budget documents for submission.

In 1999 staff was directed to achieve savings of $25 M over the next 2 years. During the 1999 Budget process Council approved savings in the amount of $13.6 M which resulted in an overall budget reduction of 3% (including growth). To achieve the desired $25M a further $11.4 M (or 3.2% of all Operating Costs) reduction must be achieved in 2000. Also approved in 1999 was a 1% Levy for Capital expenditures for the Region and a $1M increase for the City to accelerate moving to "Pay As You Go" financing policy. When combined, the 3.2% reduction in Operating costs together with the increase in Capital, results in an overall decrease in the total combined City and Region Levy of 1.7%.

Also identified on Appendix "C" are alternate budget directions that would reinvest Year 2000 savings into activities that would generate long term savings and stability for the corporation.

Budget Policy Recommendations:

Appendix "D" sets out the Policy recommendations to be applied for the year 2000. With the exception of Policy #1 and #2 which are detailed in the Appendix, these policies represent current practices and are not intended to change but rather to document our policies.

APPENDIX "A"

Communication / Committees

Political Approval:
- City Council
- Regional Council
- Joint Committee of the Whole
- Budget Steering Committee

Current Budget Working Committee - 7 Departmental / Division Administrators
- 1 Police Administrator
- 1 Budget Co-ordinator
- 1 Budget analyst responsible for HECFI, City Manager, Legislative and Boards.
- MANDATE: To co-ordinate budget submissions and communicate with operating divisions/departments

Public Meetings
- Two public meetings to be held to allow the public to review and ask questions regarding the Capital and Operating Budgets.
- MANDATE: After presentation to BSC, staff will make a presentation and be available to answer questions.

Budget Communication & Promotion:
- 1- Budget Analyst
- 1- Communications Officer (Corp. Serv. Dept.)
- MANDATE – To communicate Budget Highlights to all staff throughout the process, production of budget documentation, and co-ordination and promotion of public meetings.

Capital & Development Co-ordinating Committee:
consolidate the CBRC and the DCC into one Committee to include representation from each division.

APPENDIX "B"
CITY OF HAMILTON / REGION OF HAMILTON-WENTWORTH
YEAR 2000 BUDGET DEVELOPMENT PLAN SCHEDULE

	DEPT / DIVISION	CMT	BSC	PUBLIC MEETING	J-COW	REGIONAL COUNCIL	CITY COUNCIL
Maintenance Budgets to Finance, including: Restructuring savings Recommended program changes to achieve targets Proposed user fees and utility rates * *Copy to Standing Committee for information only*	Sept. 10						
Capital Budget details to Finance	Sept. 17						
Current Budget Review:							
Review Macro and individual budgets & approve recommended strategy		Sept. 29 (all day)					
Present overall Macro Budget & strategy			Oct. 7				
Present Detailed Current Budgets:							
Legislative / Management (Legislative, Chairman, City Manager), Human Resources, Finance			Oct. 7 a.m.				
Community Planning & Development, Community Services, Corporate Services, Social & Public Health Services			Oct. 7 p.m.				
Transportation, Operations & Environment			Oct. 14 a.m.				
Police & Other Boards			Oct. 14 p.m.				
Final review & direction re strategy			Oct. 14				
Overall Macro Budget presentation & approval of strategy as revised by BSC					Oct. 19		

Appendix "B"

APPENDIX "B"
CITY OF HAMILTON / REGION OF HAMILTON-WENTWORTH
YEAR 2000 BUDGET DEVELOPMENT PLAN SCHEDULE

	DEPT / DIVISION	CMT	BSC	PUBLIC MEETING	J-COW	REGIONAL COUNCIL	CITY COUNCIL
Capital Budget:							
Presentation (details)		Oct. 18	Oct. 21	Oct. 22			
Approve & forward to BSC / J-COW		Oct. 18 (all day)	Oct. 28 (all day)				
Distribution to J-COW					Nov. 2		
Overview & approval (additional meeting if required)					Nov. 18 Nov. 25		
Current Budget:							
Macro Update and Review		Nov. 1	Nov. 4	Nov. 5			
Macro Update and Finalize			Nov. 11				
Distribution to J-COW					Nov. 15		
Overview & approval (additional meeting if required)					Nov. 25 Dec. 2		
Input Maintenance Budget into Peoplesoft - Finance	Nov. 30						
Approval of Tax Rates, User Fees, Utility Rates, By-Laws						Dec. 7	
Approval of Tax Rates, User Fees, By-Laws							Dec. 14

APPENDIX "B"

APPENDIX "C"

Year 2000 Budget Guidelines

CITY OF HAMILTON /
REGION OF HAMILTON-WENTWORTH

		1999 Approved Budget $m	Achieve $25M Target $m	2000 Budget Target $m	% Change
	Operating Levy *Current Direction ($25M)*	360.9	(11.4)	349.5	(3.2)%
	Capital Levy *As recommended in 1999*	49.7	4.5	54.2	9.1%
Option "A"	Total Levy	410.6	(6.9)	403.7	(1.7)%
Option "B"	Fund major initiatives associated with restructuring: - Reinvest in municipal buildings - Invest in relocation of staff		3.0	406.7	(0.9)%
Option "C"	Reinvestment in corporation for staff training and development		0.9	407.6	(0.7)%
Option "D"	Defer reduction to ease transition: - Additional time to plan service delivery options - Slower pace of change		3.0	410.6	0.0%
Option "E"	Other - as directed by BSC				

APPENDIX "D"

Budget Policy Recommendations

1) **That future years' incremental operating costs resulting from capital projects not be added to the operating budget for the City Of Hamilton in the 2000 Budget.**

2) **That staff review the feasibility of including both operating costs and Debt Charges for new capital projects in the year the capital project is approved starting in the year 2001 for both the City and Region.**

The Region and the City of Hamilton currently have differing policies with respect to operating budget impacts resulting from capital budget expenditures. This is due to the differences in the general nature of capital spending by the two corporations.

Regional expenditures are primarily for "hard" infrastructure such as roads, water, and sewer construction. Operating budget impacts would typically be for long-term maintenance of the infrastructure. As such, there are no identifiable short-term increases that can be identified and added to the operating budget.

City of Hamilton capital expenditures on the other hand are typically for "soft" infrastructure such as recreation centers, libraries, and parks. These types of capital expenditures often result in significant staffing and/or maintenance costs. As such, the City of Hamilton adds incremental operating costs to the operating budget in the year that the budgeted capital expenditure is committed. Any operating costs that do not actually occur are used to reduce future years operating costs, and are phased in over a number of years to smooth the overall impact on the operating budget.

For the year 2000 budget process, significant reductions in operating costs are projected to be required. To reduce the burden of budget cuts required by operating departments, it is recommended that incremental operating costs resulting from capital expenditures be included in the operating budgets starting in the year that these costs are expected to incur rather than in the year of capital spending.

For the year 2001, it is recommended that Finance staff look into the feasibility of adding both operating costs as well as debt financing costs to the operating budgets in the year of capital spending. Any funds not required in the years of capital spending could then be used to reduce net capital expenditures requiring Region or City funding.

3) That the annualized savings of an approved program reduction be deducted from the operating budget in the year of approval, and

4) That the Tax Stabilization Reserve fund any difference between the annualized savings and the current year savings which results in a deficit to the division.

5) That the current year cost of an approved new/enhanced program be added to the operating budget in the year of approval; and that the difference between the current year cost and the annualized cost of the program be added to the corporate financial budget in the year of approval as a transfer to the Tax Stabilization Reserve; and

6) That the transfer to the Tax Stabilization Reserve noted in item (5) above not exceed the divisional surplus for the current year; and

7) That the difference between the current year cost and the annualized cost budget base for the new/enhanced program be transferred from the corporate financial budget to the divisional budget in the year following approval of the new/enhanced program.

8) That one-time expenditures be funded from the Tax Stabilization Reserve in the year of approval.

June 28, 1999

SPECIAL MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, July 6, 1999
1:00 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz
Municipal Clerk

AGENDA

1. *Call to Order*

2. *Introductory Remarks – Mayor Morrow*

3 *Correspondence (none at time of printing)*

4. *Motion to invoke Rule 9 of the Procedural By-law to permit consideration of matters not reported upon by the respective Standing Committees*

5. *Motion to move into Committee of the Whole to permit consideration of item # 1 to # 22 and the Report of the Joint Budget Steering Committee*

6. *Consideration of Recommendations*

7. *Reports of the Joint Budget Steering Committee*

8. *Motion to Adopt the Report of the Committee of the Whole on the resolutions and the Report of the Joint Budget Steering Committee*

9. *Notices of Motion for the next meeting*

10. *Question Period.*

11. *Adjournment.*

RECOMMENDATIONS

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The following recommendations are presented for consideration:

TRANSPORT AND ENVIRONMENT COMMITTEE

1. Routine Amendments to City Traffic By-law 89-72 (PWT99015) Intersection Control

That the following requests for routine amendments to the City Traffic By-law 89-72 be approved and that Council enact the appropriate by-law.

(a) Request from Beverly Bressette, 31 Inchbury Street for southbound stop control at the "T" type intersection of Inchbury and Florence. (Ward 1)

(b) Request from an area resident for the removal of the reserved "Permit Parking" regulation at 162 London Street South as the resident has passed away which staff has confirmed. (Ward 4)

(c) Request from Barbara Varley, 86 Balmoral Avenue South for the implementation of a reserved "Permit Parking" regulation on the west side of Balmoral, directly in front of her home since her husband is disabled. (Ward 3)

(d) Request from Mr. and Mrs. Dion, 48 Beechwood Avenue for the implementation of a reserved "Permit Parking" regulation on the south side of Beechwood, directly in front of their home since their granddaughter, who lives with them, is disabled. (Ward 3)

(e) Request from Henry Lachance, 333 Emerald Street North for the implementation of a reserved "Permit Parking" regulation on the west side of Emerald, directly in front of his home since he is disabled. (Ward 3)

2. Billboard Advertising in Municipal Car Parks (PWT99012)

That Pattison Outdoor Advertising, Toronto, Ontario, be awarded the tender to provide billboard advertising in municipal car parks, in accordance with the specifications issued by the Purchasing Division and the vendor quote (Ref: C11-1199).

3. Car Park No. 1 (John and Rebecca) and Car Park No. 80 (King and Bay) – Rate Structures (PWT99011)

(a) That the maximum daily rates for parking be increased at the following locations:

- Car Park No. 1 (John and Rebecca) from $2.00 to $2.50 per day
- Car Park No. 80 (King and Bay) from $4.00 to $5.00 per day; and

(b) That the responsibility for establishing and adjusting parking rates in municipal car parks be delegated to the General Manager of Transportation, Operations and Environment or his designate; and

(c) That the Municipal Parking Facilities By-law 98-110 be amended accordingly.

4. Temporary Road Closure of Ferguson Avenue between King Street and King William Street: "Showcase Festival" (TOE99008)

(a) That the application of the Hudson Nightclub, located at 233 King Street East, Hamilton, to close Ferguson Avenue between King Street and King William Street from 1999 Friday August 20 at 12:00 noon to 1999 August 22 at 12:00 midnight for the "Showcase Festival", be approved, subject to the following conditions:

i) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,

ii) That the applicant provide proof of $5,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

iii) That all barricading, detour signing and traffic control is subject to the direction of the Chief of Police or his designate; and,

iv) That all barricading be supplied by and at the expense of the applicant.

v) That " Temporary Road Closure" signs be installed on the road by the Department of Public Works and Traffic, if deemed necessary by the General Manager, Transportation, Operations and Environment, at the expense of the applicant.

vi) That the applicant ensures that clean-up be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer.

vii) That no property owner or resident within the barricaded area be denied access to their property upon request.

viii) That all property owners and tenants along the closed portion of the road be notified of the event by the applicant prior to the event in a form acceptable to the General Manager, Transportation, Operations and Environment.

ix) That a Noise Control By-law Officer be in attendance throughout the event at the expense of the event organizer.

(b) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the application of the Hudson, 233 King Street East, Hamilton, for a temporary extension of its liquor licence for August 20, 21, 22 in conjunction with the "Showcase Festival" and has no objection to the issuance of the licence.

5. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-30 Being a By-law to amend By-law 89-72 to regulate traffic

(b) A-31 Being a By-law to amend By-law 89-72 to regulate traffic

(c) A-32 Being a By-law to amend By-law 98-110 to increase parking fees in certain municipal parking lots

PARKS AND RECREATION COMMITTEE

6. Zero Tolerance of Violence in Culture and Recreation Facilities – Progress Report (CSC99004)

That City Council reaffirm its support for the Zero Tolerance to Violence Policy, which sets out principles, goals and definitions of acceptable behaviour within City owned properties.

7. Sale of Alcoholic Beverages- Mohawk Sports Park- August 11, 1999 Hamilton Hornets Rugby Football Club Inc. (CSC99002)

That approval be granted to the Hamilton Hornets Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on August 11th, 1999 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence.

8. City of Hamilton Draft Trails Master Plan- Authorization to Attend Public Open House (PWT99019)

(a) That staff be directed to arrange and attend a public open house meeting to present a draft Trails Master Plan and receive public and stakeholder input on the proposal; and,

(b) That a final report be forwarded to the Parks and Recreation Committee and City Council after receiving public input; and,

(c) That based on the proposed alignment of the Trans Canada Trail through the City of Hamilton, staff be authorized to make application to the Trans Canada Trail Foundation for designation and inclusion in this program.

9. Concept Plan for Park Development of Former CP Lands - Forest Avenue (PWT99016)

That City Council endorse the concept plan for park development of the CP Lands site located on Forest Avenue prepared by staff in consultation with a citizens advisory committee and the Ward 2 Aldermen, as shown on Appendix "A" attached hereto.

10. Award of Contract for Construction of Multi-Purpose Building, Former CP Lands Forest Avenue (PWT99017)

(a) That approval be given to issue a purchase order to Lael Construction Co. Ltd, Hamilton Ontario in the amount of $159,644. including G.S.T. for the construction of the Multi-Purpose building at CP Lands Park being the lowest of three (3) tenders received in accordance with specifications C11-2399 issued by the Purchasing Division and vendors tender, and be financed from Capital Funds Account No. CF409750010 upon the City taking ownership of the lands; and

(b) That a contract satisfactory to the Corporate Counsel be entered into between the City and Lael Construction Co. Ltd., of Hamilton, Ontario; and

(c) That the Mayor and Municipal Clerk be authorized to execute the associated contract in a form satisfactory to the Law Department.

11. Formation of Task Force for the Purpose of Investigating Future Skateboard Facilities (PWT99018)

(a) That for the purposes of establishing future skateboard facilities in the City of Hamilton, a task force be established and comprised of two aldermen, representatives from Hamilton-Wentworth Regional Police, the Boards of Education, five members of the user groups (citizens at large); and,

(b) That the Municipal Clerk be authorized to advertise for the private sector citizen positions (users) in order that interviews may be completed and a task force established; and,

(c) That staff be responsible for interviews and selection of citizen members; and,

(d) That the task force investigate user needs, criteria for site selection, environmental impacts, design components, operational rules and regulations, public outreach; and,

(e) That an inter-departmental staff team be formed to support the Task Force with representation from the Parks Division, Community Services and Law Department; and,

(f) That a capital budget submission be submitted in the 1999-2008 capital budget; and,

(g) That the findings of the task force be submitted to the Parks and Recreation Committee.

12. Request For Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

(a) That the Commissioner of Public Works and Traffic be authorized to commence a design-build process for the design, fabrication and installation of a floating structure for the Desjardins Canal section of the Hamilton Harbour Waterfront Trail subject to the process being conducted in two stages as follows:

i) a Request for Expressions of Interest (RFEI) with an invitation advertised across Canada and the United States: and,

ii) a Request for Proposals to be invited from a short list of three to five vendors selected from those responding to the RFEI; and,

(b) That after the RFEI submissions have been evaluated the Commissioner of Public Works and Traffic report back to Committee with a recommendation on proceeding with the RFP stage of the process taking into account budget requirements, specifications, schedule and other project components; and,

(c) That the Director of Legal Services and Corporate Counsel and the Supervisor of Purchasing and Accounts Payable be requested to assist with the preparation and evaluation of the RFEI; and,

(d) That the costs associated with this RFEI/RFP process be financed from Capital Account No.CF62975026 - Harbour Waterfront Trail – Phase I.

PLANNING AND DEVELOPMENT COMMITTEE

***13.* ZAC-99-07, 1221 Limeridge Road East**

That approval be given to Zoning Application ZAC-99-07, 1221 Limeridge Inc. (c/o Joseph Kutlesa), owner, for a change in zoning from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "DE-3" (Multiple

Dwellings) District, modified, to permit a "Community and Residential Care Access Centre" containing residential care and short-term residential care facilities for the accommodation of a maximum of 24 and 16 residents of at least 65 years of age, respectively, and medical and associated commercial uses in a one (1) storey building, for lands located at 1221 Limeridge Road East, shown on the map attached hereto as Appendix "B", on the following basis:

(a) That the subject lands be rezoned from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "DE-3" (Multiple Dwellings) District; and,

(b) That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:

(i) That notwithstanding Section 10C(1) of Zoning By-law No. 6593, only the following uses shall be permitted:

(1) a "Community and Residential Care Access Centre";

(2) a commercial retail store with a maximum gross floor area of 207.0 m^2 shall be permitted;

(3) a business identification sign that is wall sign of an occupancy or use, that complies with the following requirements:

aa. No sign shall exceed 2.0 metres in height.

bb. The total aggregate area of all signs shall not exceed 0.5 square metres for each 0.5 metres of exterior lineal face of the building.

cc. Every sign shall be parallel to the wall to which it is affixed.

dd. No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.

(ii) For the purpose of this by-law, a "Community and Residential Care Access Centre" shall mean a building in which residential care and short-term care facilities are provided in conjunction with medical

offices and related services, subject to the following provisions:

(1) a Residential Care Facility for the accommodation of a maximum of 24 residents of at least 65 years of age; and,

(2) a Short-Term Care Facility for the accommodation of a maximum of 16 residents of at least 65 years of age; and,

(3) an accessory dining room which shall only be used in conjunction with the Residential Care and Short-Term Care Facilities; and,

(4) offices for medical or dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore;

(iii) That notwithstanding Section 10C. (2) of Zoning By-law No. 6593, no building shall exceed one (1) storey in height;

(iv) That notwithstanding Section 10C. (3) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre", the following yards shall be provided and maintained:

(1) a minimum front yard depth of 4.5 m and an average depth of 5.2 m;

(2) a minimum easterly side yard depth of 2.0 m and an average depth of 4.5 m;

(3) a minimum westerly side yard depth of 3.8 m; and,

(4) a minimum rear yard depth of 4.57 m.

(v) That notwithstanding Section 10C. (5) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre" a maximum gross floor area of

2,449.90 m^2 shall be permitted, comprised of 1673.12 m^2 maximum gross floor area for the Residential Care and Short Term Care Facilities and 776.78 m^2 maximum gross floor area for the medical offices and commercial retail stores, including hallways and common amenity areas;

(vi) For the "Community and Residential Care Access Centre", an unlighted ground sign having an area of not more that 4.2 square metres and located not less that 2.0 m from any lot line shall be permitted;

(vii) That notwithstanding Section 2.(2)A.(xiiaa) of Zoning By-law No. 6593, a Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" comprised of residential and commercial uses;

(viii) That notwithstanding Section 2.(2)A.(xiiaaa), a Short-Term Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" jointly comprised of residential and commercial uses;

(ix) That Section 10C.(7) of Zoning By-law No. 6593 shall not apply to the subject lands;

(x) That Section 18A.(1)(d) of Zoning By-law No. 6593 shall not apply to the subject lands;

(xi) That Section 18A. (14g) of Zoning By-law No. 6593 shall not apply to the existing parking area;

(c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Section S - 1427, and that the subject lands on Zoning District map E-59A be notated as S - 1427; and,

(d) That the City/Regional Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A for presentation to City Council;

(e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

(f) That upon finalization of the Zoning By-law, the subject lands be redesignated from "Commercial" to "Commercial and Residential" on the approved Lisgar Neighbourhood Plan.

14. Application to Remove Part-Lot Control – Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan 62M-872 "Effort Gardens, Phase 1"

(a) That approval be given to Part Lot Control Application 99-06, Hampshire Properties Inc., owner, to remove part-lot control for Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, for lands fronting on Theodore Drive, Bridgette Drive, and Benjamin Drive, for the purpose of establishing maintenance easements, as shown on the map attached hereto as Appendix "C"; and,

(b) That the by-law to remove part lot control from Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, be enacted by Council; and,

(c) That the exempting by-law be restricted to a 1 year effective time period to expire on July 1, 2000; and,

(d) That following the enactment of this by-law, the Director, Land Development, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

15. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

C-37 A By-law to remove land from land within the "Effort Gardens, Phase 1" Subdivision, Plan 62M-872 from Part Lot Control

C-38 A By-law to Amend Zoning By-law 6593 respecting lands located on the south side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive

FINANCE AND ADMINISTRATION COMMITTEE

16. Declaration of Surplus Property – 11/19 Rebecca Street, Hamilton (CS99008)

(a) That the property known as 11-19 Rebecca Street, Hamilton be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

(b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

17. Declaration of Surplus Property at 172 Catharine Street North (Assessment Roll Number 02 01560 2770) (CS99010)

(a) That the property at the rear of 172 Catharine Street North with a width of 4.42 metres (14.5 feet) more or less, by a depth of 25.6 metres (84 feet) more or less, also known as 172 Catharine Street North, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

(b) That Real Estate, Legal Services Section be authorized and directed to negotiate the sale of this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

18. Revised City of Hamilton Emergency Plan (Report CSC 99-001)

(a) That the revised City of Hamilton Emergency Plan, distributed within the reference material for the July 6, 1999 Council meeting be approved; and

(b) That staff be authorized to submit the appropriate By-law to City Council for approval and enactment.

19. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the

General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners as outlined in Appendix "D" attached hereto, to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994;

(b) That the by-law to authorize the said Extension Agreements be enacted by Council.

(c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

20. Appointment of External Auditor

(a) That the firm of KPMG, Chartered Accountants, be appointed as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention facilities, Inc., Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, Municipal Non-Profit (Hamilton) Housing Corporation, Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc. and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1999 at the fee of $89,400 (inclusive of expenses, exclusive of GST); and,

(b) That the necessary By-law be passed and enacted by City Council.

21. Licensed Parking Lots – Enforcement of New Standards (99.2.4.2.1.A) (PDC99032)

That the information report dated June 25, 1999 from the General Manager of Community Planning and Development Division respecting "Licensed Parking Lots – Enforcement of New Standards" be received.

22. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

D-23: A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.

D-24: A By-law to Repeal By-law Nos. 86-164 and 94-187: And to Enact a By-law respecting the Emergency Plan for the Corporation of the City of Hamilton.

D-25: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

July 6, 1999

7.

REPORT OF THE JOINT CITY/REGION BUDGET STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Joint City/Region Budget Steering Committee presents its **THIRD** Report for 1999 and respectfully recommends:

1. Year 2000 Budget Process and Guidelines

(a) That the Year 2000 Budget Committees and Membership thereof, attached herewith and marked Appendix "A", be approved and any external correspondence be reviewed by the Joint City/Region Budget Steering Committee prior to publication; and,

(b) That the Year 2000 Budget Timetable, attached herewith and marked Appendix "B", be approved, and that the Corporate Services Department be authorized to set up all meetings as outlined on the Timetable; and,

(c) That the year 2000 Budget Guidelines, attached herewith and marked Appendix "C", be approved; and,

(d) That the Budget Funding Policies, attached herewith and marked Appendix "D", be approved.

Respectfully submitted,

ALDERMAN B. CHARTERS, CHAIRMAN
JOINT CITY/REGION BUDGET STEERING COMMITTEE

Susan K. Reeder,
Legislative Assistant
June 28, 1999

APPENDIX "A"

Communication / Committees

Political Approval:
- City Council
- Regional Council
- Joint Committee of the Whole
- Budget Steering Committee

Current Budget Working Committee - 7 Departmental / Division Administrators
- 1 Police Administrator
- 1 Budget Co-ordinator
- 1 Budget analyst responsible for HECFI, City Manager, Legislative and Boards.
- MANDATE: To co-ordinate budget submissions and communicate with operating divisions/departments

Public Meetings
- Two public meetings to be held to allow the public to review and ask questions regarding the Capital and Operating Budgets.
- MANDATE: After presentation to BSC, staff will make a presentation and be available to answer questions.

Budget Communication & Promotion:
- 1- Budget Analyst
- 1- Communications Officer (Corp. Serv. Dept.)
- MANDATE – To communicate Budget Highlights to all staff throughout the process, production of budget documentation, and co-ordination and promotion of public meetings.

Capital & Development Co-ordinating Committee:
consolidate the CBRC and the DCC into one Committee to include representation from each division.

APPENDIX "B"
CITY OF HAMILTON / REGION OF HAMILTON-WENTWORTH
YEAR 2000 BUDGET DEVELOPMENT PLAN SCHEDULE

	DEPT / DIVISION	CMT	BSC	PUBLIC MEETING	J-COW	REGIONAL COUNCIL	CITY COUNCIL
Maintenance Budgets to Finance, including: Restructuring savings Recommended program changes to achieve targets Proposed user fees and utility rates * *Copy to Standing Committee for information only*	Sept. 10						
Capital Budget details to Finance	Sept. 17						
Current Budget Review:							
Review Macro and individual budgets & approve recommended strategy		Sept. 29 (all day)					
Present overall Macro Budget & strategy			Oct. 7				
Present Detailed Current Budgets:							
Legislative / Management (Legislative, Chairman, City Manager), Human Resources, Finance			Oct. 7 a.m.				
Community Planning & Development, Community Services, Corporate Services, Social & Public Health Services			Oct. 7 p.m.				
Transportation, Operations & Environment			Oct. 14 a.m.				
Police & Other Boards			Oct. 14 p.m.				
Final review & direction re strategy			Oct. 14				
Overall Macro Budget presentation & approval of strategy as revised by BSC					Oct. 19		

Appendix "B" as referred to in Section 1 of the 3rd Report for 1999 of the Joint City/Region Budget Steering Committee

APPENDIX "B"
CITY OF HAMILTON / REGION OF HAMILTON-WENTWORTH
YEAR 2000 BUDGET DEVELOPMENT PLAN SCHEDULE

	DEPT / DIVISION	CMT	BSC	PUBLIC MEETING	J-COW	REGIONAL COUNCIL	CITY COUNCIL
Capital Budget:							
Presentation (details)		Oct. 18	Oct. 21	Oct. 22			
Approve & forward to BSC / J-COW		Oct. 18 (all day)	Oct. 28 (all day)				
Distribution to J-COW					Nov. 2		
Overview & approval (additional meeting if required)					Nov. 18 Nov. 25		
Current Budget:							
Macro Update and Review		Nov. 1	Nov. 4	Nov. 5			
Macro Update and Finalize			Nov. 11				
Distribution to J-COW					Nov. 15		
Overview & approval (additional meeting if required)					Nov. 25 Dec. 2		
nput Maintenance Budget into Peoplesoft - Finance	Nov. 30						
Approval of Tax Rates, User Fees, Utility Rates, By-Laws						Dec. 7	
Approval of Tax Rates, User Fees, By-Laws							Dec. 14

Appendix "C" Revised

Appendix "C" as referred to in Section 1 of the 3rd Report for 1999 of the Joint City/Region Budget Steering Committee

Year 2000 Budget Guildelines

City Of Hamilton/
Region Of Hamilton-Wentworth

	1999 Approved Budget $m	Reduction Required $m	2000 Budget Target $m	% Change
Operating Levy *(Includes Boards,Agencies,Police)*	360.9	(16.9) **	344.0	(4.7)%
Capital Levy *As recommended in 1999*	49.7	4.5	54.2	9.1%
Recommended Option	**410.6**	**(12.4)**	**398.2**	**(3.0)%**

**** Represents the reduction required from the 1999 base budget. Any increases to the base budget resulting from increases in downloaded services, contract and inflationary increases must also be offset.**

APPENDIX "D"

Budget Policy Recommendations

1) **That future years' incremental operating costs resulting from capital projects not be added to the operating budget for the City Of Hamilton in the 2000 Budget.**

2) **That staff review the feasibility of including both operating costs and Debt Charges for new capital projects in the year the capital project is approved starting in the year 2001 for both the City and Region.**

The Region and the City of Hamilton currently have differing policies with respect to operating budget impacts resulting from capital budget expenditures. This is due to the differences in the general nature of capital spending by the two corporations.

Regional expenditures are primarily for "hard" infrastructure such as roads, water, and sewer construction. Operating budget impacts would typically be for long-term maintenance of the infrastructure. As such, there are no identifiable short-term increases that can be identified and added to the operating budget.

City of Hamilton capital expenditures on the other hand are typically for "soft" infrastructure such as recreation centers, libraries, and parks. These types of capital expenditures often result in significant staffing and/or maintenance costs. As such, the City of Hamilton adds incremental operating costs to the operating budget in the year that the budgeted capital expenditure is committed. Any operating costs that do not actually occur are used to reduce future years operating costs, and are phased in over a number of years to smooth the overall impact on the operating budget.

For the year 2000 budget process, significant reductions in operating costs are projected to be required. To reduce the burden of budget cuts required by operating departments, it is recommended that incremental operating costs resulting from capital expenditures be included in the operating budgets starting in the year that these costs are expected to incur rather than in the year of capital spending.

For the year 2001, it is recommended that Finance staff look into the feasibility of adding both operating costs as well as debt financing costs to the operating budgets in the year of capital spending. Any funds not required in the years of capital spending could then be used to reduce net capital expenditures requiring Region or City funding.

3) That the annualized savings of an approved program reduction be deducted from the operating budget in the year of approval, and

4) That the Tax Stabilization Reserve fund any difference between the annualized savings and the current year savings which results in a deficit to the division.

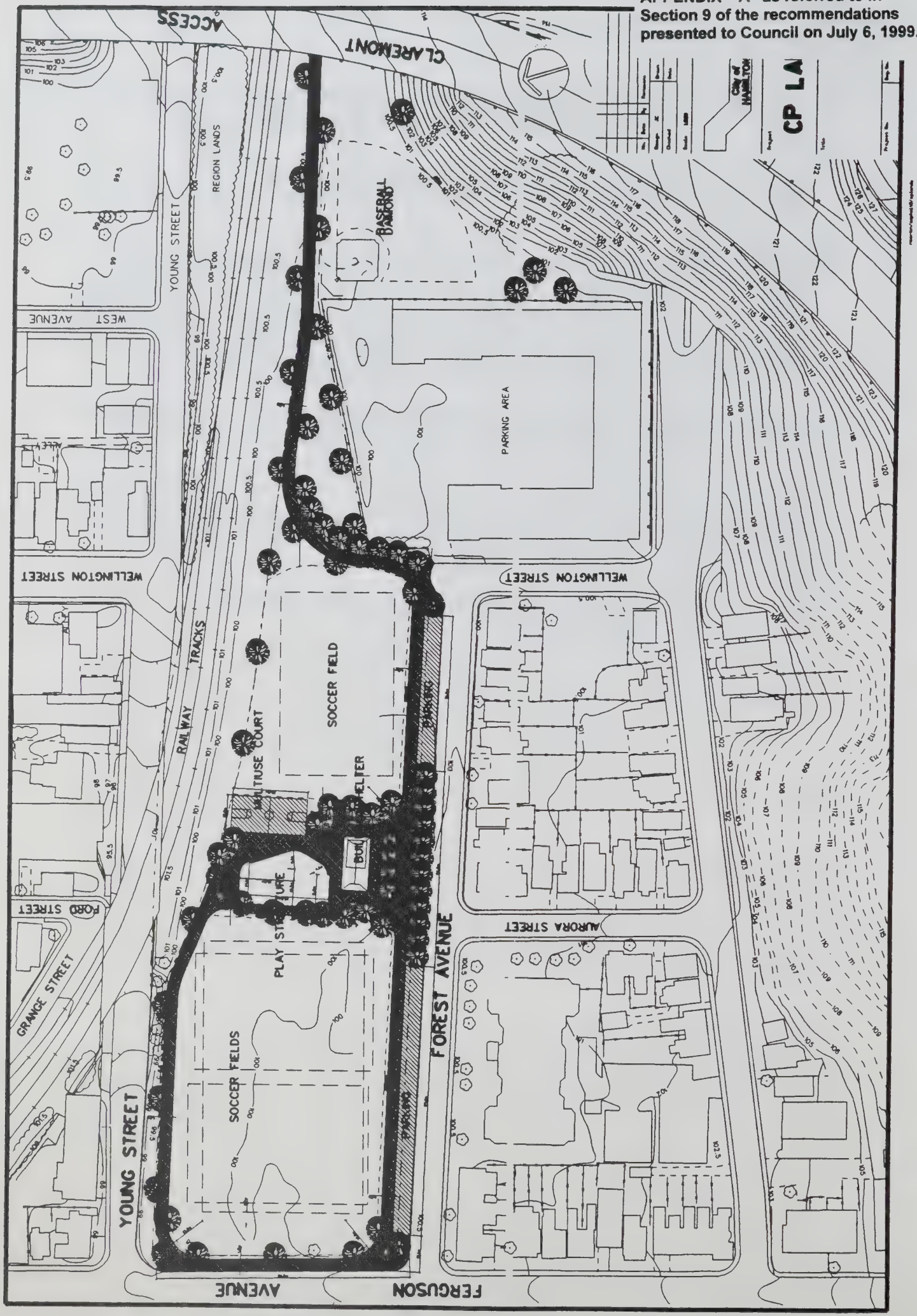
5) That the current year cost of an approved new/enhanced program be added to the operating budget in the year of approval; and that the difference between the current year cost and the annualized cost of the program be added to the corporate financial budget in the year of approval as a transfer to the Tax Stabilization Reserve; and

6) That the transfer to the Tax Stabilization Reserve noted in item (5) above not exceed the divisional surplus for the current year; and

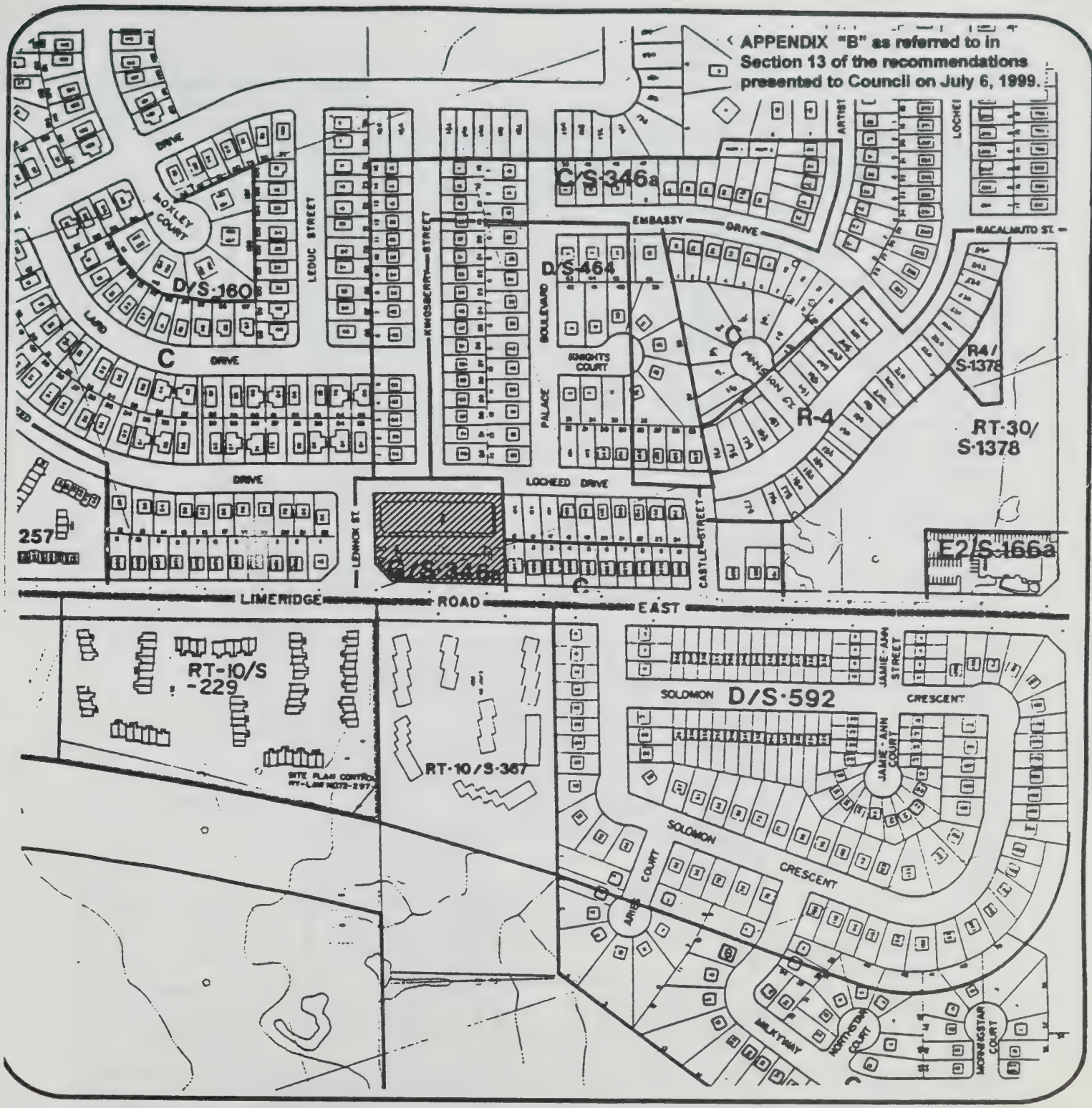
7) That the difference between the current year cost and the annualized cost budget base for the new/enhanced program be transferred from the corporate financial budget to the divisional budget in the year following approval of the new/enhanced program.

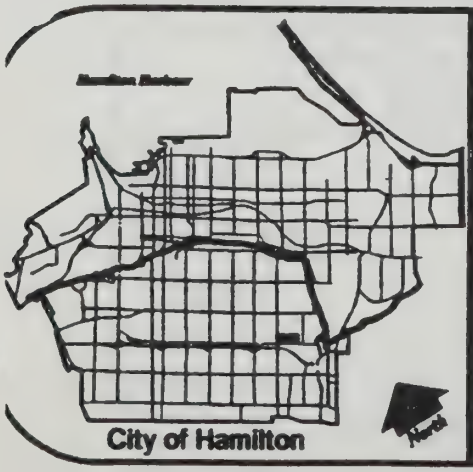
8) That one-time expenditures be funded from the Tax Stabilization Reserve in the year of approval.

APPENDIX "A" as referred to in Section 9 of the recommendations presented to Council on July 6, 1999.



APPENDIX "B" as referred to in Section 13 of the recommendations presented to Council on July 6, 1999.





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

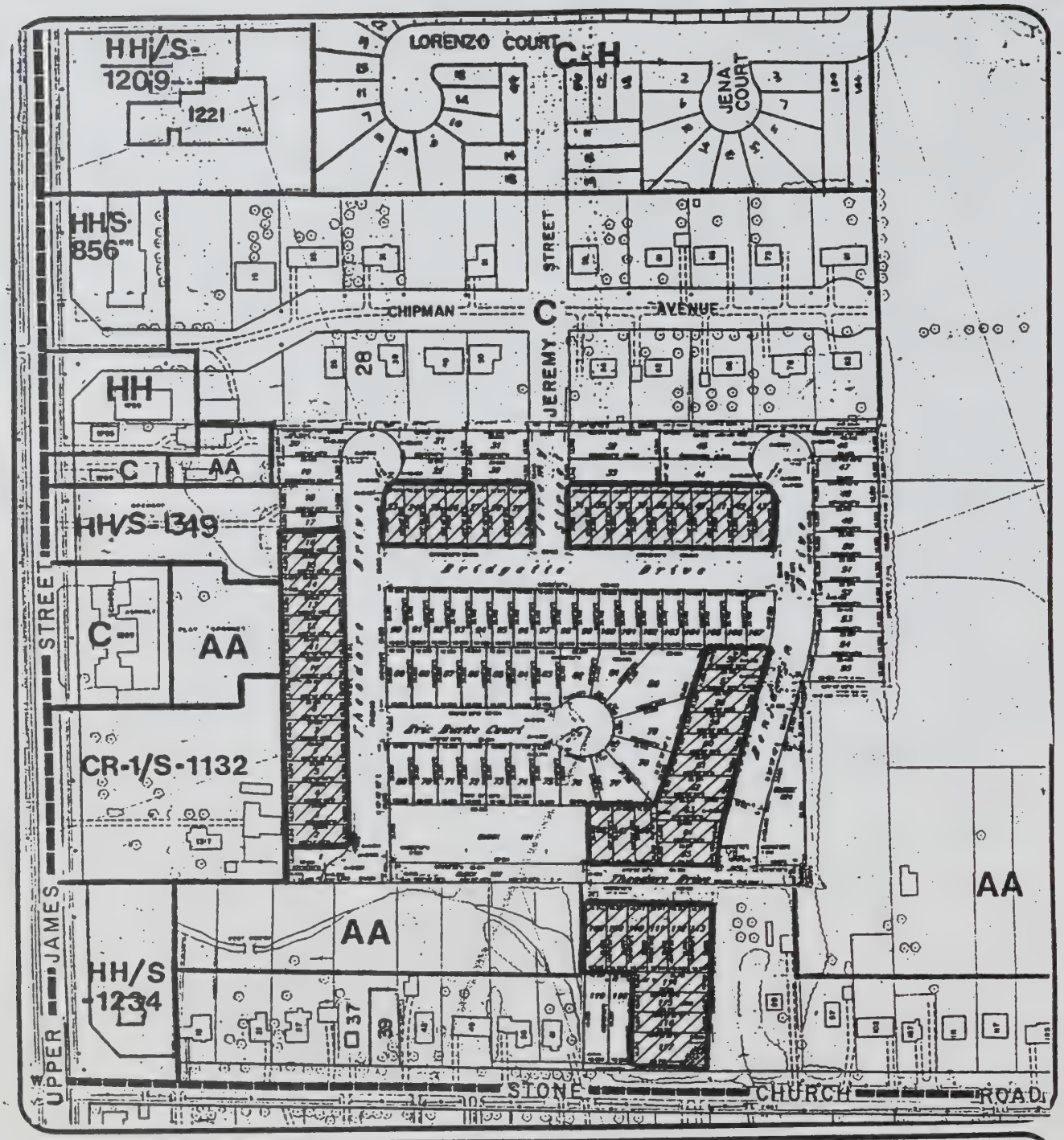
Site of Application

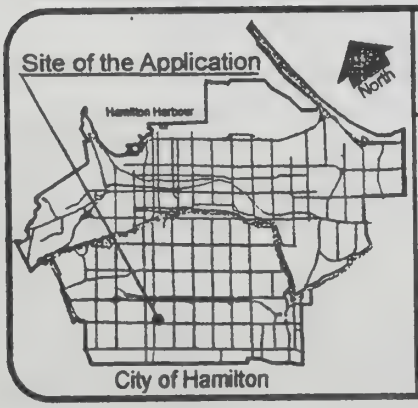
Change in zoning :-

From "G" (Neighbourhood Shopping Centre, etc.) District to "DE-3" (Multiple Dwellings) District, modifed

Reference file:	ZAC-99 -07
Scale	Not to Scale
Date	March,1999
Technician:	FAB
	APPENDIX A

APPENDIX "C" as referred to in
Section 14 of the recommendations
presented to Council on July 6, 1999.





COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

Subject Lands

Reference file:	**PLC-99-06**
Scale	**Not to Scale**
Date	**June,1999**
Technician:	**Jsims**

APPENDIX 'A'

APPENDIX "D" as referred to in Section 19 of the recommendations presented to Council on July 6, 1999.

EXTENSION AGREEMENTS

1)	PROPERTY ADDRESS	72 RAY ST. S.
	SERIAL NUMBER	01 00940 5160
	REDEMPTION DATE	SEPTEMBER 9, 1999
2)	PROPERTY ADDRESS	219 EAST 13TH
	SERIAL NUMBER	07 08110 7400
	REDEMPTION DATE	NOVEMBER 26, 1999
3)	PROPERTY ADDRESS	130 SIMCOE ST. E.
	SERIAL NUMBER	02 01620 0790
	REDEMPTION DATE	SEPTEMBER 9, 1999
4)	PROPERTY ADDRESS	346 GUELPH ST.
	SERIAL NUMBER	05 03850 8310
	REDEMPTION DATE	SEPTEMBER 9, 1999
5)	PROPERTY ADDRESS	38 MYRTLE AVE.
	SERIAL NUMBER	03 02420 2810
	REDEMPTION DATE	SEPTEMBER 9, 1999
6)	PROPERTY ADDRESS	145 RICE AVE
	SERIAL NUMBER	08 10710 5190
	REDEMPTION DATE	September 9, 1999
7)	PROPERTY ADDRESS	1320 BARTON ST. E.
	SERIAL NUMBER	04 03145 9300
	REDEMPTION DATE	NOVEMBER 26, 1999
8)	PROPERTY ADDRESS	61 JOHN ST. S.
	SERIAL NUMBER	02 01445 6270
	REDEMPTION DATE	JANUARY 5, 2000
9)	PROPERTY ADDRESS	455 MELVIN AVE.
	SERIAL NUMBER	05 04920 5060
	REDEMPTION DATE	SEPTEMBER 9, 1999
10)	PROPERTY ADDRESS	458 EAST 38TH ST.
	SERIAL NUMBER	07 06320 5690
	REDEMPTION DATE	SEPTEMBER 9, 1999
11)	PROPERTY ADDRESS	180 LIMERIDGE RD. W. #206
	SERIAL NUMBER	08 09840 0512
	REDEMPTION DATE	SEPTEMBER 15, 1999
12)	PROPERTY ADDRESS	7 ROWANWOOD ST.
	SERIAL NUMBER	04 02880 4640
	REDEMPTION DATE	SEPTEMBER 15, 1999
13)	PROPERTY ADDRESS	585 CORBETT ST.
	SERIAL NUMBER	05 05010 4720
	REDEMPTION DATE	SEPTEMBER 15, 1999
14)	PROPERTY ADDRESS	196 SHERMAN AVE. S.
	SERIAL NUMBER	03 02460 7950
	REDEMPTION DATE	NOVEMBER 26 1999
15)	PROPERTY ADDRESS	226 PICTON ST. E.
	SERIAL NUMBER	02 01710 3960
	REDEMPTION DATE	NOVEMBER 26, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16) PROPERTY ADDRESS	51 BRISTOL ST.
SERIAL NUMBER	03 02370 0760
REDEMPTION DATE	SEPTEMBER 29, 1999
17) PROPERTY ADDRESS	77 BEACH BLVD.
SERIAL NUMBER	05 05140 4330
REDEMPTION DATE	SEPTEMBER 29, 1999
18) PROPERTY ADDRESS	7 PATRICK ST.
SERIAL NUMBER	02 01435 2950
REDEMPTION DATE	NOVEMBER 26, 1999
19) PROPERTY ADDRESS	44 EVANS ST.
SERIAL NUMBER	03 02130 7740
REDEMPTION DATE	SEPTEMBER 29, 1999
20) PROPERTY ADDRESS	175 HUNTER ST. E. #203
SERIAL NUMBER	02 01445 0500
REDEMPTION DATE	September 29 ,1999
21) PROPERTY ADDRESS	72 BIRCH AVE.
SERIAL NUMBER	03 02345 4010
REDEMPTION DATE	SEPTEMBER 29, 1999
22) PROPERTY ADDRESS	515 MAIN ST. E. #16
SERIAL NUMBER	03 02310 1177
REDEMPTION DATE	SEPTEMBER 29, 1999
23) PROPERTY ADDRESS	515 MAIN ST. E. #3
SERIAL NUMBER	03 02310 1192
REDEMPTION DATE	SEPTEMBER 29, 1999
24) PROPERTY ADDRESS	515 MAIN ST. E. #12
SERIAL NUMBER	03 02310 1201
REDEMPTION DATE	SEPTEMBER 29, 1999
25) PROPERTY ADDRESS	515 MAIN ST. E. #1
SERIAL NUMBER	03 02310 1171
REDEMPTION DATE	SEPTEMBER 29, 1999
26) PROPERTY ADDRESS	16 GIBSON AVE.
SERIAL NUMBER	003 02350 5050
REDEMPTION DATE	OCTOBER 6, 1999
27) PROPERTY ADDRESS	399 MARY ST.
SERIAL NUMBER	02 01660 4970
REDEMPTION DATE	OCTOBER 6, 1999
28) PROPERTY ADDRESS	75 FRANCIS ST.
SERIAL NUMBER	03 02220 4920
REDEMPTION DATE	OCTOBER 6, 1999
29) PROPERTY ADDRESS	192 KENSINGTON AVE. N.
SERIAL NUMBER	04 02840 6950
REDEMPTION DATE	OCTOBER 6, 1999
30) PROPERTY ADDRESS	210 KENILWORTH AVE. N.
SERIAL NUMBER	04 03310 1330
REDEMPTION DATE	NOVEMBER 16, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31) PROPERTY ADDRESS	39 STANLEY AVE.
SERIAL NUMBER	01 00930 3550
REDEMPTION DATE	NOVEMBER 16, 1999
32) PROPERTY ADDRESS	161 WENTWORTH ST. N.
SERIAL NUMBER	03 02180 7130
REDEMPTION DATE	NOVEMBER 16, 1999
33) PROPERTY ADDRESS	30 DELAWARE AVE.
SERIAL NUMBER	03 02420 6170
REDEMPTION DATE	NOVEMBER 16, 1999
34) PROPERTY ADDRESS	259 JOHN ST. S.
SERIAL NUMBER	02 01420 2590
REDEMPTION DATE	NOVEMBER 16, 1999
35) PROPERTY ADDRESS	215 WEXFORD AVE. S.
SERIAL NUMBER	04 03040 7170
REDEMPTION DATE	NOVEMBER 16, 1999
36) PROPERTY ADDRESS	207 BEACH BLVD.
SERIAL NUMBER	05 05140 3400
REDEMPTION DATE	NOVEMBER 16, 1999
37) PROPERTY ADDRESS	90 GERTRUDE ST.
SERIAL NUMBER	04 02880 0700
REDEMPTION DATE	NOVEMBER 16,1999
38) PROPERTY ADDRESS	118 STEVEN ST.
SERIAL NUMBER	03 02140 5390
REDEMPTION DATE	NOVEMBER 16, 1999
39) PROPERTY ADDRESS	22 QUINLAN CRT.
SERIAL NUMBER	06 07010 3145
REDEMPTION DATE	NOVEMBER 16, 1999
40) PROPERTY ADDRESS	733 KING ST. E.
SERIAL NUMBER	03 02325 6230
REDEMPTION DATE	DECEMBER 12, 1999
41) PROPERTY ADDRESS	186 TOLTON AVE.
SERIAL NUMBER	05 03820 3910
REDEMPTION DATE	JANUARY 19, 2000
42) PROPERTY ADDRESS	297 WEST 18TH
SERIAL NUMBER	08 09810 5840
REDEMPTION DATE	JANUARY 5, 2000
43) PROPERTY ADDRESS	68 HILLYARD ST.
SERIAL NUMBER	03 02240 5380
REDEMPTION DATE	JANUARY 5, 2000
44) PROPERTY ADDRESS	325 BARTON ST. E.
SERIAL NUMBER	03 02150 6290
REDEMPTION DATE	JANUARY 5, 2000
45) PROPERTY ADDRESS	43 ROWENA CRT.
SERIAL NUMBER	06 07010 4736
REDEMPTION DATE	JANUARY 5, 2000
46) PROPERTY ADDRESS	188 CANNON ST. E.
SERIAL NUMBER	02 01820 6200
REDEMPTION DATE	JANUARY 5, 2000

SCHEDULE "A"
EXTENSION AGREEMENTS

47) PROPERTY ADDRESS	210 BURLINGTON ST. E.
SERIAL NUMBER	02 01710 7820
REDEMPTION DATE	JANUARY 5, 2000
48) PROPERTY ADDRESS	274 LAKE AVE. N.
SERIAL NUMBER	05 04810 7780
REDEMPTION DATE	JANUARY 5, 2000

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URBAN
MUNICIPAL

June 28, 1999

SPECIAL MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

URBAN MUNICIPAL

JUL 21 1999

GOVERNMENT DOCUMENTS

Tuesday, July 6, 1999
1:00 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz
Municipal Clerk

AGENDA

1. Call to Order
2. Introductory Remarks – Mayor Morrow
3. Correspondence (none at time of printing)
4. Motion to invoke Rule 9 of the Procedural By-law to permit consideration of matters not reported upon by the respective Standing Committees
5. Motion to move into Committee of the Whole to permit consideration of item # 1 to # 22 and the Report of the Joint Budget Steering Committee
6. Consideration of Recommendations
7. Reports of the Joint Budget Steering Committee
8. Motion to Adopt the Report of the Committee of the Whole on the resolutions and the Report of the Joint Budget Steering Committee
9. Notices of Motion for the next meeting
10. Question Period.
11. Adjournment.

RECOMMENDATIONS

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The following recommendations are presented for consideration:

TRANSPORT AND ENVIRONMENT COMMITTEE

1. Routine Amendments to City Traffic By-law 89-72 (PWT99015) Intersection Control

That the following requests for routine amendments to the City Traffic By-law 89-72 be approved and that Council enact the appropriate by-law.

(a) Request from Beverly Bressette, 31 Inchbury Street for southbound stop control at the "T" type intersection of Inchbury and Florence. (Ward 1)

(b) Request from an area resident for the removal of the reserved "Permit Parking" regulation at 162 London Street South as the resident has passed away which staff has confirmed. (Ward 4)

(c) Request from Barbara Varley, 86 Balmoral Avenue South for the implementation of a reserved "Permit Parking" regulation on the west side of Balmoral, directly in front of her home since her husband is disabled. (Ward 3)

(d) Request from Mr. and Mrs. Dion, 48 Beechwood Avenue for the implementation of a reserved "Permit Parking" regulation on the south side of Beechwood, directly in front of their home since their granddaughter, who lives with them, is disabled. (Ward 3)

(e) Request from Henry Lachance, 333 Emerald Street North for the implementation of a reserved "Permit Parking" regulation on the west side of Emerald, directly in front of his home since he is disabled. (Ward 3)

2. Billboard Advertising in Municipal Car Parks (PWT99012)

That Pattison Outdoor Advertising, Toronto, Ontario, be awarded the tender to provide billboard advertising in municipal car parks, in accordance with the specifications issued by the Purchasing Division and the vendor quote (Ref: C11-1199).

3. Car Park No. 1 (John and Rebecca) and Car Park No. 80 (King and Bay) – Rate Structures (PWT99011)

(a) That the maximum daily rates for parking be increased at the following locations:

- Car Park No. 1 (John and Rebecca) from $2.00 to $2.50 per day
- Car Park No. 80 (King and Bay) from $4.00 to $5.00 per day; and

(b) That the responsibility for establishing and adjusting parking rates in municipal car parks be delegated to the General Manager of Transportation, Operations and Environment or his designate; and

(c) That the Municipal Parking Facilities By-law 98-110 be amended accordingly.

4. Temporary Road Closure of Ferguson Avenue between King Street and King William Street: "Showcase Festival" (TOE99008)

(a) That the application of the Hudson Nightclub, located at 233 King Street East, Hamilton, to close Ferguson Avenue between King Street and King William Street from 1999 Friday August 20 at 12:00 noon to 1999 August 22 at 12:00 midnight for the "Showcase Festival", be approved, subject to the following conditions:

i) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,

ii) That the applicant provide proof of $5,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

iii) That all barricading, detour signing and traffic control is subject to the direction of the Chief of Police or his designate; and,

iv) That all barricading be supplied by and at the expense of the applicant.

v) That " Temporary Road Closure" signs be installed on the road by the Department of Public Works and Traffic, if deemed necessary by the General Manager, Transportation, Operations and Environment, at the expense of the applicant.

vi) That the applicant ensures that clean-up be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer.

vii) That no property owner or resident within the barricaded area be denied access to their property upon request.

viii) That all property owners and tenants along the closed portion of the road be notified of the event by the applicant prior to the event in a form acceptable to the General Manager, Transportation, Operations and Environment.

ix) That a Noise Control By-law Officer be in attendance throughout the event at the expense of the event organizer.

(b) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the application of the Hudson, 233 King Street East, Hamilton, for a temporary extension of its liquor licence for August 20, 21, 22 in conjunction with the "Showcase Festival" and has no objection to the issuance of the licence.

5. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-30 Being a By-law to amend By-law 89-72 to regulate traffic

(b) A-31 Being a By-law to amend By-law 89-72 to regulate traffic

(c) A-32 Being a By-law to amend By-law 98-110 to increase parking fees in certain municipal parking lots

PARKS AND RECREATION COMMITTEE

6. Zero Tolerance of Violence in Culture and Recreation Facilities – Progress Report (CSC99004)

That City Council reaffirm its support for the Zero Tolerance to Violence Policy, which sets out principles, goals and definitions of acceptable behaviour within City owned properties.

7. Sale of Alcoholic Beverages- Mohawk Sports Park- August 11, 1999 Hamilton Hornets Rugby Football Club Inc. (CSC99002)

That approval be granted to the Hamilton Hornets Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on August 11th, 1999 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence.

8. City of Hamilton Draft Trails Master Plan- Authorization to Attend Public Open House (PWT99019)

(a) That staff be directed to arrange and attend a public open house meeting to present a draft Trails Master Plan and receive public and stakeholder input on the proposal; and,

(b) That a final report be forwarded to the Parks and Recreation Committee and City Council after receiving public input; and,

(c) That based on the proposed alignment of the Trans Canada Trail through the City of Hamilton, staff be authorized to make application to the Trans Canada Trail Foundation for designation and inclusion in this program.

9. Concept Plan for Park Development of Former CP Lands - Forest Avenue (PWT99016)

That City Council endorse the concept plan for park development of the CP Lands site located on Forest Avenue prepared by staff in consultation with a citizens advisory committee and the Ward 2 Aldermen, as shown on Appendix "A" attached hereto.

10. Award of Contract for Construction of Multi-Purpose Building, Former CP Lands Forest Avenue (PWT99017)

(a) That approval be given to issue a purchase order to Lael Construction Co. Ltd, Hamilton Ontario in the amount of $159,644. including G.S.T. for the construction of the Multi-Purpose building at CP Lands Park being the lowest of three (3) tenders received in accordance with specifications C11-2399 issued by the Purchasing Division and vendors tender, and be financed from Capital Funds Account No. CF409750010 upon the City taking ownership of the lands; and

(b) That a contract satisfactory to the Corporate Counsel be entered into between the City and Lael Construction Co. Ltd., of Hamilton, Ontario; and

(c) That the Mayor and Municipal Clerk be authorized to execute the associated contract in a form satisfactory to the Law Department.

11. Formation of Task Force for the Purpose of Investigating Future Skateboard Facilities (PWT99018)

(a) That for the purposes of establishing future skateboard facilities in the City of Hamilton, a task force be established and comprised of two aldermen, representatives from Hamilton-Wentworth Regional Police, the Boards of Education, five members of the user groups (citizens at large); and,

(b) That the Municipal Clerk be authorized to advertise for the private sector citizen positions (users) in order that interviews may be completed and a task force established; and,

(c) That staff be responsible for interviews and selection of citizen members; and,

(d) That the task force investigate user needs, criteria for site selection, environmental impacts, design components, operational rules and regulations, public outreach; and,

(e) That an inter-departmental staff team be formed to support the Task Force with representation from the Parks Division, Community Services and Law Department; and,

(f) That a capital budget submission be submitted in the 1999-2008 capital budget; and,

(g) That the findings of the task force be submitted to the Parks and Recreation Committee.

12. Request For Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

(a) That the Commissioner of Public Works and Traffic be authorized to commence a design-build process for the design, fabrication and installation of a floating structure for the Desjardins Canal section of the Hamilton Harbour Waterfront Trail subject to the process being conducted in two stages as follows:

i) a Request for Expressions of Interest (RFEI) with an invitation advertised across Canada and the United States: and,

ii) a Request for Proposals to be invited from a short list of three to five vendors selected from those responding to the RFEI; and,

(b) That after the RFEI submissions have been evaluated the Commissioner of Public Works and Traffic report back to Committee with a recommendation on proceeding with the RFP stage of the process taking into account budget requirements, specifications, schedule and other project components; and,

(c) That the Director of Legal Services and Corporate Counsel and the Supervisor of Purchasing and Accounts Payable be requested to assist with the preparation and evaluation of the RFEI; and,

(d) That the costs associated with this RFEI/RFP process be financed from Capital Account No.CF62975026 - Harbour Waterfront Trail – Phase I.

PLANNING AND DEVELOPMENT COMMITTEE

***13.* ZAC-99-07, 1221 Limeridge Road East**

That approval be given to Zoning Application ZAC-99-07, 1221 Limeridge Inc. (c/o Joseph Kutlesa), owner, for a change in zoning from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "DE-3" (Multiple

Dwellings) District, modified, to permit a "Community and Residential Care Access Centre" containing residential care and short-term residential care facilities for the accommodation of a maximum of 24 and 16 residents of at least 65 years of age, respectively, and medical and associated commercial uses in a one (1) storey building, for lands located at 1221 Limeridge Road East, shown on the map attached hereto as Appendix "B", on the following basis:

(a) That the subject lands be rezoned from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "DE-3" (Multiple Dwellings) District; and,

(b) That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:

(i) That notwithstanding Section 10C(1) of Zoning By-law No. 6593, only the following uses shall be permitted:

(1) a "Community and Residential Care Access Centre";

(2) a commercial retail store with a maximum gross floor area of 207.0 m^2 shall be permitted;

(3) a business identification sign that is wall sign of an occupancy or use, that complies with the following requirements:

aa. No sign shall exceed 2.0 metres in height.

bb. The total aggregate area of all signs shall not exceed 0.5 square metres for each 0.5 metres of exterior lineal face of the building.

cc. Every sign shall be parallel to the wall to which it is affixed.

dd. No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.

(ii) For the purpose of this by-law, a "Community and Residential Care Access Centre" shall mean a building in which residential care and short-term care facilities are provided in conjunction with medical

offices and related services, subject to the following provisions:

(1) a Residential Care Facility for the accommodation of a maximum of 24 residents of at least 65 years of age; and,

(2) a Short-Term Care Facility for the accommodation of a maximum of 16 residents of at least 65 years of age; and,

(3) an accessory dining room which shall only be used in conjunction with the Residential Care and Short-Term Care Facilities; and,

(4) offices for medical or dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore;

(iii) That notwithstanding Section 10C. (2) of Zoning By-law No. 6593, no building shall exceed one (1) storey in height;

(iv) That notwithstanding Section 10C. (3) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre", the following yards shall be provided and maintained:

(1) a minimum front yard depth of 4.5 m and an average depth of 5.2 m;

(2) a minimum easterly side yard depth of 2.0 m and an average depth of 4.5 m;

(3) a minimum westerly side yard depth of 3.8 m; and,

(4) a minimum rear yard depth of 4.57 m.

(v) That notwithstanding Section 10C. (5) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre" a maximum gross floor area of

2,449.90 m^2 shall be permitted, comprised of 1673.12 m^2 maximum gross floor area for the Residential Care and Short Term Care Facilities and 776.78 m^2 maximum gross floor area for the medical offices and commercial retail stores, including hallways and common amenity areas;

(vi) For the "Community and Residential Care Access Centre", an unlighted ground sign having an area of not more that 4.2 square metres and located not less that 2.0 m from any lot line shall be permitted;

(vii) That notwithstanding Section 2.(2)A.(xiiaa) of Zoning By-law No. 6593, a Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" comprised of residential and commercial uses;

(viii) That notwithstanding Section 2.(2)A.(xiiaaa), a Short-Term Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" jointly comprised of residential and commercial uses;

(ix) That Section 10C.(7) of Zoning By-law No. 6593 shall not apply to the subject lands;

(x) That Section 18A.(1)(d) of Zoning By-law No. 6593 shall not apply to the subject lands;

(xi) That Section 18A. (14g) of Zoning By-law No. 6593 shall not apply to the existing parking area;

(c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Section S - 1427, and that the subject lands on Zoning District map E-59A be notated as S - 1427; and,

(d) That the City/Regional Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A for presentation to City Council;

(e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

(f) That upon finalization of the Zoning By-law, the subject lands be redesignated from "Commercial" to "Commercial and Residential" on the approved Lisgar Neighbourhood Plan.

14. Application to Remove Part-Lot Control – Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan 62M-872 "Effort Gardens, Phase 1"

(a) That approval be given to Part Lot Control Application 99-06, Hampshire Properties Inc., owner, to remove part-lot control for Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, for lands fronting on Theodore Drive, Bridgette Drive, and Benjamin Drive, for the purpose of establishing maintenance easements, as shown on the map attached hereto as Appendix "C"; and,

(b) That the by-law to remove part lot control from Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, be enacted by Council; and,

(c) That the exempting by-law be restricted to a 1 year effective time period to expire on July 1, 2000; and,

(d) That following the enactment of this by-law, the Director, Land Development, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

15. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

C-37 A By-law to remove land from land within the "Effort Gardens, Phase 1" Subdivision, Plan 62M-872 from Part Lot Control

C-38 A By-law to Amend Zoning By-law 6593 respecting lands located on the south side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive

FINANCE AND ADMINISTRATION COMMITTEE

16. Declaration of Surplus Property – 11/19 Rebecca Street, Hamilton (CS99008)

(a) That the property known as 11-19 Rebecca Street, Hamilton be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

(b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

17. Declaration of Surplus Property at 172 Catharine Street North (Assessment Roll Number 02 01560 2770) (CS99010)

(a) That the property at the rear of 172 Catharine Street North with a width of 4.42 metres (14.5 feet) more or less, by a depth of 25.6 metres (84 feet) more or less, also known as 172 Catharine Street North, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

(b) That Real Estate, Legal Services Section be authorized and directed to negotiate the sale of this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

18. Revised City of Hamilton Emergency Plan (Report CSC 99-001)

(a) That the revised City of Hamilton Emergency Plan, distributed within the reference material for the July 6, 1999 Council meeting be approved; and

(b) That staff be authorized to submit the appropriate By-law to City Council for approval and enactment.

19. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the

General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners as outlined in Appendix "D" attached hereto, to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994;

(b) That the by-law to authorize the said Extension Agreements be enacted by Council.

(c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

20. Appointment of External Auditor

(a) That the firm of KPMG, Chartered Accountants, be appointed as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention facilities, Inc., Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, Municipal Non-Profit (Hamilton) Housing Corporation, Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc. and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1999 at the fee of $89,400 (inclusive of expenses, exclusive of GST); and,

(b) That the necessary By-law be passed and enacted by City Council.

21. Licensed Parking Lots – Enforcement of New Standards (99.2.4.2.1.A) (PDC99032)

That the information report dated June 25, 1999 from the General Manager of Community Planning and Development Division respecting "Licensed Parking Lots – Enforcement of New Standards" be received.

22. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

D-23: A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.

D-24: A By-law to Repeal By-law Nos. 86-164 and 94-187: And to Enact a By-law respecting the Emergency Plan for the Corporation of the City of Hamilton.

D-25: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

REPORT OF THE JOINT CITY/REGION BUDGET STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Joint City/Region Budget Steering Committee presents its **THIRD** Report for 1999 and respectfully recommends:

1. Year 2000 Budget Process and Guidelines

(a) That the Year 2000 Budget Committees and Membership thereof, attached herewith and marked Appendix "A", be approved and any external correspondence be reviewed by the Joint City/Region Budget Steering Committee prior to publication; and,

(b) That the Year 2000 Budget Timetable, attached herewith and marked Appendix "B", be approved, and that the Corporate Services Department be authorized to set up all meetings as outlined on the Timetable; and,

(c) That the year 2000 Budget Guidelines, attached herewith and marked Appendix "C", be approved; and,

(d) That the Budget Funding Policies, attached herewith and marked Appendix "D", be approved.

Respectfully submitted,

ALDERMAN B. CHARTERS, CHAIRMAN
JOINT CITY/REGION BUDGET STEERING COMMITTEE

Susan K. Reeder,
Legislative Assistant
June 28, 1999

APPENDIX "A"

Communication / Committees

Political Approval:
- City Council
- Regional Council
- Joint Committee of the Whole
- Budget Steering Committee

Current Budget Working Committee - 7 Departmental / Division Administrators
- 1 Police Administrator
- 1 Budget Co-ordinator
- 1 Budget analyst responsible for HECFI, City Manager, Legislative and Boards.
- MANDATE: To co-ordinate budget submissions and communicate with operating divisions/departments

Public Meetings
- Two public meetings to be held to allow the public to review and ask questions regarding the Capital and Operating Budgets.
- MANDATE: After presentation to BSC, staff will make a presentation and be available to answer questions.

Budget Communication & Promotion:
- 1- Budget Analyst
- 1- Communications Officer (Corp. Serv. Dept.)
- MANDATE – To communicate Budget Highlights to all staff throughout the process, production of budget documentation, and co-ordination and promotion of public meetings.

Capital & Development Co-ordinating Committee:
consolidate the CBRC and the DCC into one Committee to include representation from each division.

APPENDIX "B"
CITY OF HAMILTON / REGION OF HAMILTON-WENTWORTH
YEAR 2000 BUDGET DEVELOPMENT PLAN SCHEDULE

	DEPT / DIVISION	CMT	BSC	PUBLIC MEETING	J-COW	REGIONAL COUNCIL	CITY COUNCIL
Maintenance Budgets to Finance, including: Restructuring savings Recommended program changes to achieve targets Proposed user fees and utility rates * *Copy to Standing Committee for information only*	Sept. 10						
Capital Budget details to Finance	Sept. 17						
Current Budget Review:							
Review Macro and individual budgets & approve recommended strategy		Sept. 29 (all day)					
Present overall Macro Budget & strategy			Oct. 7				
Present Detailed Current Budgets:							
Legislative / Management (Legislative, Chairman, City Manager), Human Resources, Finance			Oct. 7 a.m.				
Community Planning & Development, Community Services, Corporate Services, Social & Public Health Services			Oct. 7 p.m.				
Transportation, Operations & Environment			Oct. 14 a.m.				
Police & Other Boards			Oct. 14 p.m.				
Final review & direction re strategy			Oct. 14				
Overall Macro Budget presentation & approval of strategy as revised by BSC					Oct. 19		

Appendix "B" as referred to in Section 1 of the 3rd Report for 1999 of the Joint City/Region Budget Steering Committee

APPENDIX "B"
CITY OF HAMILTON / REGION OF HAMILTON-WENTWORTH
YEAR 2000 BUDGET DEVELOPMENT PLAN SCHEDULE

	DEPT / DIVISION	CMT	BSC	PUBLIC MEETING	J-COW	REGIONAL COUNCIL	CITY COUNCIL
Capital Budget:							
Presentation (details)		Oct. 18	Oct. 21	Oct. 22			
Approve & forward to BSC / J-COW		Oct. 18 (all day)	Oct. 28 (all day)				
Distribution to J-COW					Nov. 2		
Overview & approval (additional meeting if required)					Nov. 18 Nov. 25		
Current Budget:							
Macro Update and Review		Nov. 1	Nov. 4	Nov. 5			
Macro Update and Finalize			Nov. 11				
Distribution to J-COW					Nov. 15		
Overview & approval (additional meeting if required)					Nov. 25 Dec. 2		
Input Maintenance Budget into Peoplesoft - Finance	Nov. 30						
Approval of Tax Rates, User Fees, Utility Rates, By-Laws						Dec. 7	
Approval of Tax Rates, User Fees, By-Laws							Dec. 14

Appendix "C" Revised

Appendix "C" as referred to in Section 1 of the 3rd Report for 1999 of the Joint City/Region Budget Steering Committee

Year 2000 Budget Guildelines

City Of Hamilton/
Region Of Hamilton-Wentworth

	1999 Approved Budget $m	Reduction Required $m	2000 Budget Target $m	% Change
Operating Levy *(Includes Boards,Agencies,Police)*	360.9	(16.9) **	344.0	(4.7)%
Capital Levy *As recommended in 1999*	49.7	4.5	54.2	9.1%
Recommended Option	**410.6**	**(12.4)**	**398.2**	**(3.0)%**

**** Represents the reduction required from the 1999 base budget. Any increases to the base budget resulting from increases in downloaded services, contract and inflationary increases must also be offset.**

APPENDIX "D"

Budget Policy Recommendations

1) **That future years' incremental operating costs resulting from capital projects not be added to the operating budget for the City Of Hamilton in the 2000 Budget.**

2) **That staff review the feasibility of including both operating costs and Debt Charges for new capital projects in the year the capital project is approved starting in the year 2001 for both the City and Region.**

The Region and the City of Hamilton currently have differing policies with respect to operating budget impacts resulting from capital budget expenditures. This is due to the differences in the general nature of capital spending by the two corporations.

Regional expenditures are primarily for "hard" infrastructure such as roads, water, and sewer construction. Operating budget impacts would typically be for long-term maintenance of the infrastructure. As such, there are no identifiable short-term increases that can be identified and added to the operating budget.

City of Hamilton capital expenditures on the other hand are typically for "soft" infrastructure such as recreation centers, libraries, and parks. These types of capital expenditures often result in significant staffing and/or maintenance costs. As such, the City of Hamilton adds incremental operating costs to the operating budget in the year that the budgeted capital expenditure is committed. Any operating costs that do not actually occur are used to reduce future years operating costs, and are phased in over a number of years to smooth the overall impact on the operating budget.

For the year 2000 budget process, significant reductions in operating costs are projected to be required. To reduce the burden of budget cuts required by operating departments, it is recommended that incremental operating costs resulting from capital expenditures be included in the operating budgets starting in the year that these costs are expected to incur rather than in the year of capital spending.

For the year 2001, it is recommended that Finance staff look into the feasibility of adding both operating costs as well as debt financing costs to the operating budgets in the year of capital spending. Any funds not required in the years of capital spending could then be used to reduce net capital expenditures requiring Region or City funding.

3) That the annualized savings of an approved program reduction be deducted from the operating budget in the year of approval, and

4) That the Tax Stabilization Reserve fund any difference between the annualized savings and the current year savings which results in a deficit to the division.

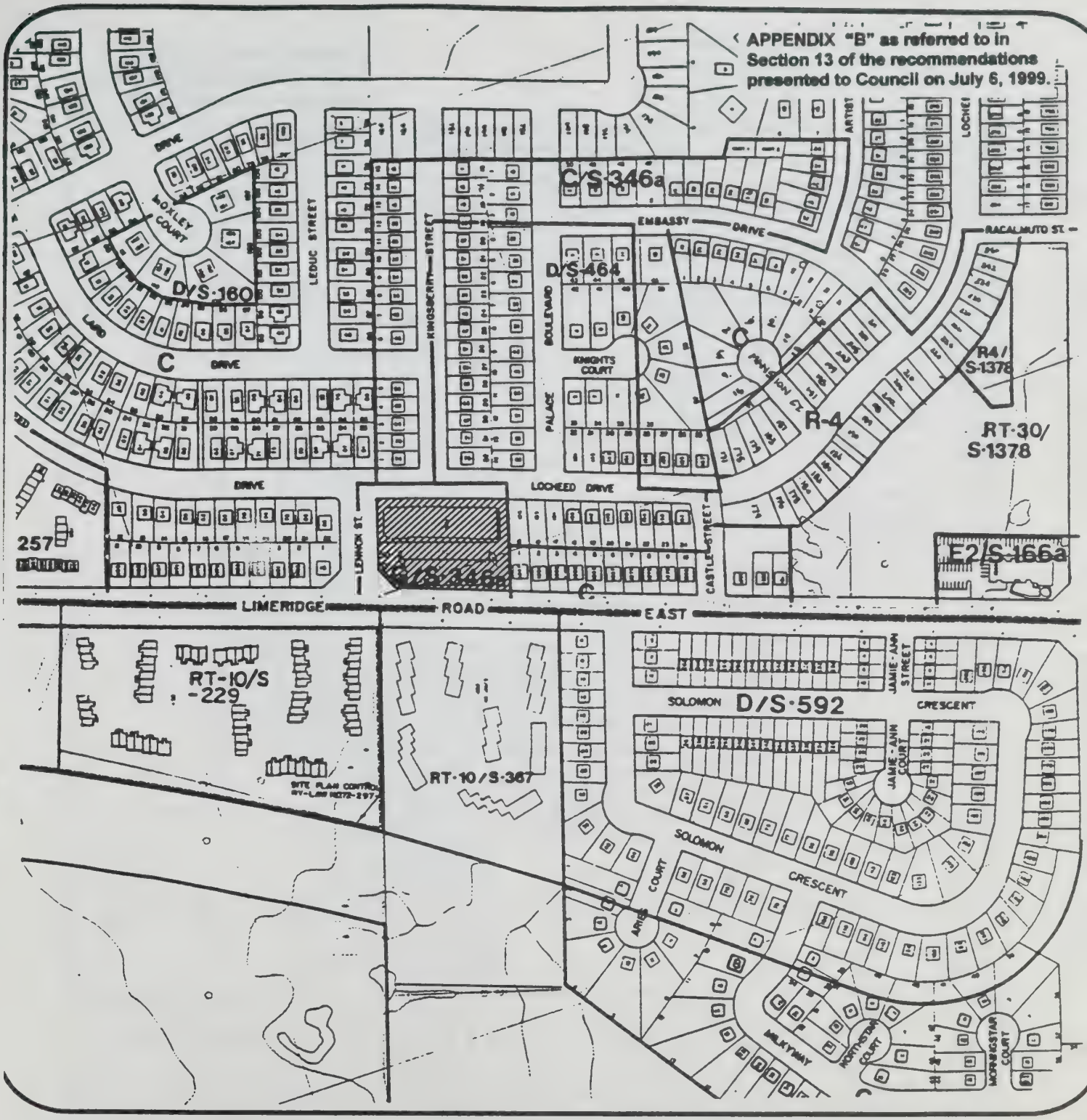
5) That the current year cost of an approved new/enhanced program be added to the operating budget in the year of approval; and that the difference between the current year cost and the annualized cost of the program be added to the corporate financial budget in the year of approval as a transfer to the Tax Stabilization Reserve; and

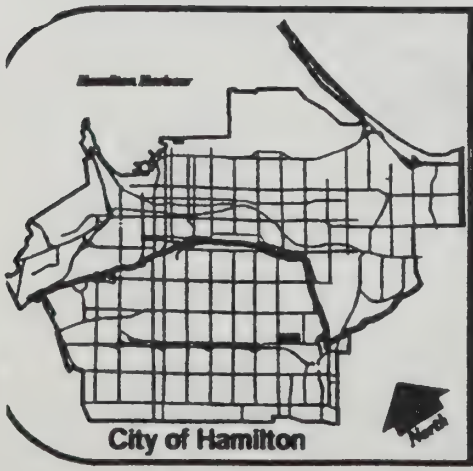
6) That the transfer to the Tax Stabilization Reserve noted in item (5) above not exceed the divisional surplus for the current year; and

7) That the difference between the current year cost and the annualized cost budget base for the new/enhanced program be transferred from the corporate financial budget to the divisional budget in the year following approval of the new/enhanced program.

8) That one-time expenditures be funded from the Tax Stabilization Reserve in the year of approval.

APPENDIX "A" as referred to in Section 9 of the recommendations presented to Council on July 6, 1999.





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

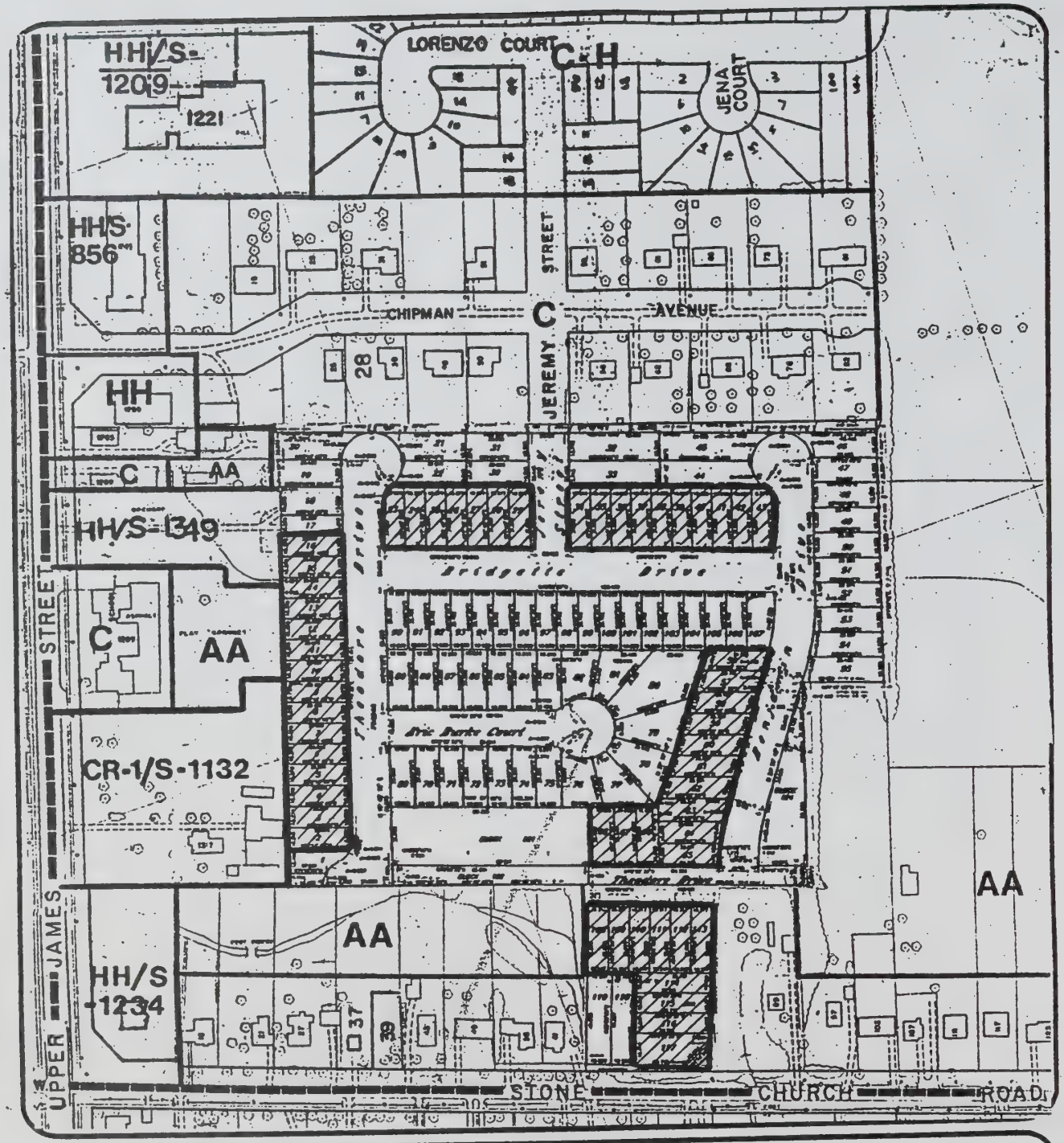
Site of Application

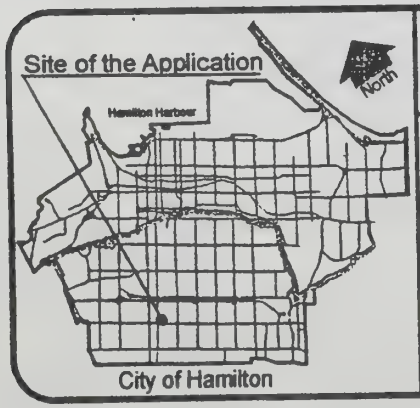
Change in zoning :-

From "G" (Neighbourhood Shopping Centre, etc.) District to "DE-3" (Multiple Dwellings) District, modifed

Reference file:	ZAC-99 -07
Scale	Not to Scale
Date	March,1999
Technician:	FAB
	APPENDIX A

APPENDIX "C" as referred to in
Section 14 of the recommendations
presented to Council on July 6, 1999.





COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

Subject Lands

Reference file:	PLC-99-06
Scale	Not to Scale
Date	June,1999
Technician:	Jsims

APPENDIX 'A'

APPENDIX "D" as referred to in Section 19 of the recommendations presented to Council on July 6, 1999.

EXTENSION AGREEMENTS

1)	PROPERTY ADDRESS	72 RAY ST. S.
	SERIAL NUMBER	01 00940 5160
	REDEMPTION DATE	SEPTEMBER 9, 1999
2)	PROPERTY ADDRESS	219 EAST 13TH
	SERIAL NUMBER	07 08110 7400
	REDEMPTION DATE	NOVEMBER 26, 1999
3)	PROPERTY ADDRESS	130 SIMCOE ST. E.
	SERIAL NUMBER	02 01620 0790
	REDEMPTION DATE	SEPTEMBER 9, 1999
4)	PROPERTY ADDRESS	346 GUELPH ST.
	SERIAL NUMBER	05 03850 8310
	REDEMPTION DATE	SEPTEMBER 9, 1999
5)	PROPERTY ADDRESS	38 MYRTLE AVE.
	SERIAL NUMBER	03 02420 2810
	REDEMPTION DATE	SEPTEMBER 9, 1999
6)	PROPERTY ADDRESS	145 RICE AVE
	SERIAL NUMBER	08 10710 5190
	REDEMPTION DATE	September 9, 1999
7)	PROPERTY ADDRESS	1320 BARTON ST. E.
	SERIAL NUMBER	04 03145 9300
	REDEMPTION DATE	NOVEMBER 26, 1999
8)	PROPERTY ADDRESS	61 JOHN ST. S.
	SERIAL NUMBER	02 01445 6270
	REDEMPTION DATE	JANUARY 5, 2000
9)	PROPERTY ADDRESS	455 MELVIN AVE.
	SERIAL NUMBER	05 04920 5060
	REDEMPTION DATE	SEPTEMBER 9, 1999
10)	PROPERTY ADDRESS	458 EAST 38TH ST.
	SERIAL NUMBER	07 06320 5690
	REDEMPTION DATE	SEPTEMBER 9, 1999
11)	PROPERTY ADDRESS	180 LIMERIDGE RD. W. #206
	SERIAL NUMBER	08 09840 0512
	REDEMPTION DATE	SEPTEMBER 15, 1999
12)	PROPERTY ADDRESS	7 ROWANWOOD ST.
	SERIAL NUMBER	04 02880 4640
	REDEMPTION DATE	SEPTEMBER 15, 1999
13)	PROPERTY ADDRESS	585 CORBETT ST.
	SERIAL NUMBER	05 05010 4720
	REDEMPTION DATE	SEPTEMBER 15, 1999
14)	PROPERTY ADDRESS	196 SHERMAN AVE. S.
	SERIAL NUMBER	03 02460 7950
	REDEMPTION DATE	NOVEMBER 26 1999
15)	PROPERTY ADDRESS	226 PICTON ST. E.
	SERIAL NUMBER	02 01710 3960
	REDEMPTION DATE	NOVEMBER 26, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16) PROPERTY ADDRESS	51 BRISTOL ST.
SERIAL NUMBER	03 02370 0760
REDEMPTION DATE	SEPTEMBER 29, 1999
17) PROPERTY ADDRESS	77 BEACH BLVD.
SERIAL NUMBER	05 05140 4330
REDEMPTION DATE	SEPTEMBER 29, 1999
18) PROPERTY ADDRESS	7 PATRICK ST.
SERIAL NUMBER	02 01435 2950
REDEMPTION DATE	NOVEMBER 26, 1999
19) PROPERTY ADDRESS	44 EVANS ST.
SERIAL NUMBER	03 02130 7740
REDEMPTION DATE	SEPTEMBER 29, 1999
20) PROPERTY ADDRESS	175 HUNTER ST. E. #203
SERIAL NUMBER	02 01445 0500
REDEMPTION DATE	September 29 ,1999
21) PROPERTY ADDRESS	72 BIRCH AVE.
SERIAL NUMBER	03 02345 4010
REDEMPTION DATE	SEPTEMBER 29, 1999
22) PROPERTY ADDRESS	515 MAIN ST. E. #16
SERIAL NUMBER	03 02310 1177
REDEMPTION DATE	SEPTEMBER 29, 1999
23) PROPERTY ADDRESS	515 MAIN ST. E. #3
SERIAL NUMBER	03 02310 1192
REDEMPTION DATE	SEPTEMBER 29, 1999
24) PROPERTY ADDRESS	515 MAIN ST. E. #12
SERIAL NUMBER	03 02310 1201
REDEMPTION DATE	SEPTEMBER 29, 1999
25) PROPERTY ADDRESS	515 MAIN ST. E. #1
SERIAL NUMBER	03 02310 1171
REDEMPTION DATE	SEPTEMBER 29, 1999
26) PROPERTY ADDRESS	16 GIBSON AVE.
SERIAL NUMBER	003 02350 5050
REDEMPTION DATE	OCTOBER 6, 1999
27) PROPERTY ADDRESS	399 MARY ST.
SERIAL NUMBER	02 01660 4970
REDEMPTION DATE	OCTOBER 6, 1999
28) PROPERTY ADDRESS	75 FRANCIS ST.
SERIAL NUMBER	03 02220 4920
REDEMPTION DATE	OCTOBER 6, 1999
29) PROPERTY ADDRESS	192 KENSINGTON AVE. N.
SERIAL NUMBER	04 02840 6950
REDEMPTION DATE	OCTOBER 6, 1999
30) PROPERTY ADDRESS	210 KENILWORTH AVE. N.
SERIAL NUMBER	04 03310 1330
REDEMPTION DATE	NOVEMBER 16, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31) PROPERTY ADDRESS	39 STANLEY AVE.
SERIAL NUMBER	01 00930 3550
REDEMPTION DATE	NOVEMBER 16, 1999
32) PROPERTY ADDRESS	161 WENTWORTH ST. N.
SERIAL NUMBER	03 02180 7130
REDEMPTION DATE	NOVEMBER 16, 1999
33) PROPERTY ADDRESS	30 DELAWARE AVE.
SERIAL NUMBER	03 02420 6170
REDEMPTION DATE	NOVEMBER 16, 1999
34) PROPERTY ADDRESS	259 JOHN ST. S.
SERIAL NUMBER	02 01420 2590
REDEMPTION DATE	NOVEMBER 16, 1999
35) PROPERTY ADDRESS	215 WEXFORD AVE. S.
SERIAL NUMBER	04 03040 7170
REDEMPTION DATE	NOVEMBER 16, 1999
36) PROPERTY ADDRESS	207 BEACH BLVD.
SERIAL NUMBER	05 05140 3400
REDEMPTION DATE	NOVEMBER 16, 1999
37) PROPERTY ADDRESS	90 GERTRUDE ST.
SERIAL NUMBER	04 02880 0700
REDEMPTION DATE	NOVEMBER 16,1999
38) PROPERTY ADDRESS	118 STEVEN ST.
SERIAL NUMBER	03 02140 5390
REDEMPTION DATE	NOVEMBER 16, 1999
39) PROPERTY ADDRESS	22 QUINLAN CRT.
SERIAL NUMBER	06 07010 3145
REDEMPTION DATE	NOVEMBER 16, 1999
40) PROPERTY ADDRESS	733 KING ST. E.
SERIAL NUMBER	03 02325 6230
REDEMPTION DATE	DECEMBER 12, 1999
41) PROPERTY ADDRESS	186 TOLTON AVE.
SERIAL NUMBER	05 03820 3910
REDEMPTION DATE	JANUARY 19, 2000
42) PROPERTY ADDRESS	297 WEST 18TH
SERIAL NUMBER	08 09810 5840
REDEMPTION DATE	JANUARY 5, 2000
43) PROPERTY ADDRESS	68 HILLYARD ST.
SERIAL NUMBER	03 02240 5380
REDEMPTION DATE	JANUARY 5, 2000
44) PROPERTY ADDRESS	325 BARTON ST. E.
SERIAL NUMBER	03 02150 6290
REDEMPTION DATE	JANUARY 5, 2000
45) PROPERTY ADDRESS	43 ROWENA CRT.
SERIAL NUMBER	06 07010 4736
REDEMPTION DATE	JANUARY 5, 2000
46) PROPERTY ADDRESS	188 CANNON ST. E.
SERIAL NUMBER	02 01820 6200
REDEMPTION DATE	JANUARY 5, 2000

SCHEDULE "A"
EXTENSION AGREEMENTS

47)	PROPERTY ADDRESS	210 BURLINGTON ST. E.
	SERIAL NUMBER	02 01710 7820
	REDEMPTION DATE	JANUARY 5, 2000
48)	PROPERTY ADDRESS	274 LAKE AVE. N.
	SERIAL NUMBER	05 04810 7780
	REDEMPTION DATE	JANUARY 5, 2000

CEO
Hamilton Public Library
2nd floor

June 28, 1999

SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, July 6, 1999
1:00 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz, Municipal Clerk

REFERENCE REPORTS

Transport and Environment Committee

1. Routine Amendments to City Traffic By-law 89-72 (PWT99015) Intersection Control

2. Billboard Advertising in Municipal Car Parks (PWT99012)

3. Car Park No. 1 (John and Rebecca) and Car Park No. 80 (King and Bay) Rate Structures (PWT99011)

4. Temporary Road Closure of Ferguson Avenue between King Street and King William Street: "Showcase Festival" (TOE99008)

5. Bills

Parks and Recreation Committee

6. *Zero Tolerance of Violence in Culture and Recreation Facilities – Progress Report (CSC99004)*

7. Sale of Alcoholic Beverages- Mohawk Sports Park- August 11, 1999 Hamilton Hornets Rugby Football Club Inc. (CSC99002)

8. City of Hamilton Draft Trails Master Plan- Authorization to Attend Public Open House (PWT99019)

9. Concept Plan for Park Development of Former CP Lands - Forest Avenue (PWT99016)

10. Award of Contract for Construction of Multi-Purpose Building, Former CP Lands Forest Avenue (PWT99017)

11. Formation of Task Force for the Purpose of Investigating Future Skateboard Facilities (PWT99018)

12. Request For Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

Planning and Development Committee

13. ZAC-99-07, 1221 Limeridge Road East

14. Application to Remove Part-Lot Control – Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan 62M-872 "Effort Gardens, Phase 1"

15. Bills

Finance and Administration Committee

16. Declaration of Surplus Property – 11/19 Rebecca Street, Hamilton (CS99008)

17. Declaration of Surplus Property at 172 Catharine Street North (Assessment Roll Number 02 01560 2770) (CS99010)

18. Revised City of Hamilton Emergency Plan (Report CSC 99-001)

19. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears

20. Appointment of External Auditor

21. Licensed Parking Lots – Enforcement of New Standards (99.2.4.2.1.A) (PDC99032)

22. Bills

Joint Budget Steering Committee

23. Year 2000 Budget Process and Guidelines

TRANSPORT AND ENVIRONMENT COMMITTEE

BACKGROUND MATERIAL

CITY OF HAMILTON

1.

- RECOMMENDATION -

DATE: 1999 June 15
File No. TEC-136-99 / Author: Various

REPORT TO: Carolyn Biggs, Acting Secretary
Transport and Environment Committee

FROM: Doug Lobo
Commissioner of Public Works and Traffic

SUBJECT: Routine Amendments to the City Traffic By-law 89-72
Committee of the Whole Meeting -1999 July 6
(PWT99015)

RECOMMENDATION:

That the routine amendments listed herein be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Staff has received several requests/petitions for routine changes to existing on-street parking regulations and/or intersection control on City streets. Staff has investigated and concurs with the following requests.

1. **Intersection Control**

   (a) Staff has received a request from Beverly Bressette, 31 Inchbury Street, for southbound stop control at the "T" type intersection of Inchbury and Florence. (Ward 1)

2. **Disabled Parking**

   (a) An area resident has requested the removal of the reserved "Permit Parking" regulation at 162 London Street South as the resident has passed away which staff has confirmed. (Ward 4)

   (b) Barbara Varley, 86 Balmoral Avenue South, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Balmoral, directly in front of her home since her husband is disabled. (Ward 3)

(c) Mr. and Mrs. Dion, 48 Beechwood Avenue, have requested the implementation of a reserved "Permit Parking" regulation on the south side of Beechwood, directly in front of their home since their granddaughter, who lives with them, is disabled. (Ward3)

(d) Henry Lachance, 333 Emerald Street North, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Emerald, directly in front of his home since he is disabled. (Ward 3)

MBH/kag

CITY OF HAMILTON

- RECOMMENDATION -

2.

DATE: 1999 June 14
File No. TEC-135-99 / Author: M. Hazell

REPORT TO: Carolyn Biggs, Acting Secretary
Transport and Environment Committee

FROM: Doug Lobo
Commissioner of Public Works and Traffic

SUBJECT: Billboard Advertising in Municipal Car Parks
(PWT99012)

RECOMMENDATION:

That Pattison Outdoor Advertising, Toronto, Ontario, be awarded the tender to provide billboard advertising in municipal car parks, in accordance with the specifications issued by the Purchasing Division and the vendor quote (Ref: C11-1199).

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

For the final year of the existing contract (1998 to 1999) revenues were approximately $25,000. Revenues generated by the recommendation will be $84,000 during the first year of this contract (July 1, 1999 to June 30, 2000) and increasing incrementally over the years to approximately $110,000 in the tenth and final year, for a total of almost $1,000,000 over the ten year period.

BACKGROUND:

In 1988, the Board of the former Hamilton Parking Authority entered into a ten year contract for the provision of billboard advertising at 16 locations in various municipal car parks. A ten year contract was deemed to be necessary because of the costs incurred by the successful applicant in erecting and constructing the required structures. The term of the existing contract has expired, and the Purchasing Division therefore distributed a Request for Quotation and interested companies were invited to submit their bids describing a "per poster panel (sign face)" fee payable to the City. As of the closing on 1999 May 31, three bids had been received, as shown on the attachment to this report.

Pattison Outdoor Advertising meets all of the performance specifications required by the Request for Quotation, and this bid well exceeds the other two in the amount of revenue that the City will generate through billboard advertising. No local bids were received.

MBH/kag
Attach.

Ref: C11-1199

Closed: Monday, May 31, 1999

THE CORPORATION OF THE CITY OF HAMILTON

FORM OF QUOTATION

SUPPLY, INSTALL, MAINTAIN, REMOVE AND REPLACE BILLBOARD ADVERTISING
ADVERTISING DISPLAYS AT VARIOUS MUNICIPAL CARPARKS IN THE CITY OF HAMILTON

Per Year Per Poster Panel	Abcon Outdoor	Mediacom Inc.	Pattison Outdoor
July 1, 1999 to June 30, 2000	2,000.00	7,000.00	5,250.00
July 1, 2000 to June 30, 2001	2,100.00		5,408.00
July 1, 2001 to June 30, 2002	2,205.00	3,500.00	5,570.00
July 1, 2002 to June 30, 2003	2,315.00	3,500.00	5,737.00
July 1, 2003 to June 30, 2004	2,431.00	3,500.00	5,909.00
July 1, 2004 to June 30, 2005	2,553.00	4,000.00	6,086.00
July 1, 2005 to June 30, 2006	2,680.00	4,000.00	6,268.00
July 1, 2006 to June 30, 2007	2,814.00	4,000.00	6,456.00
July 1, 2007 to June 30, 2008	2,955.00	4,000.00	6,650.00
July 1, 2008 to June 30, 2009	3,103.00	4,000.00	6,850.00
10 year total	$402,496.00	$600,000.00	$962,944.00

Bidder's Experience In Similar Work Within the Last Five Years

	Project	Year	Owner/Contact	Approx. Revenues
Abcon Outdoor	Outdoor Advertising Boom-AD Advertising	From 1996 to present	Ham. Parking Authority Guy Corsini	4,500.00
	Boom-AD Advertising	08/1995 to Present	GTAA (Pearson Airport) Margaret Whibley	78,500.00
	Boom-AD Advertising	1995 to Present	Toro. Parking Authority Lorne Persiko	5,200.00
	Boom-AD Advertising	01/1999 to 2000	My Motorway, Sydney Australia	125,000.00
	Boom-AD Advertising	1995 to Present	Parking Corp. of Vancouver Brian Lees	31,000.00
More on original bid.				
Mediacom Inc.	City of London (Billboards)	1998	Ron Gasparetto	80,000.00/annum
	Oshawa Transit (Commission Shelters)	1998	Norm Tweedle	50,000.00/annum
	Town of Newmarket (Shelters)	1998	James Barber	120,000.00/annum
	Town of Pickering (Shelters)	1996	Neil Killens	45,000.00/annum
	City of Kitchener (Shelters)	1998	Sandy Roberts	120,000.00/annum
Pattison Outdoor	City of Hamilton	1998	Bob Hayes	37,700.00
	City of Scarborough	1997	Jack Baron	200,000.00
	City of Etobicoke	1976	Frank Bedaard	60,000.00
	City of Kitchener	Yearly Renewal	Sharon McDonald	10,000.00 P.A.
	City of St. Catharines	Yearly Renewal	Helen Harris	10,000.00 P.A.

CITY OF HAMILTON

- RECOMMENDATION -

3.

DATE: 1999 June 7
File No. TEC-132-99 / Author: M. Hazell

REPORT TO: Carolyn Biggs, Acting Secretary
Transport and Environment Committee

FROM: Doug Lobo
Commissioner of Public Works and Traffic

SUBJECT: Car Park No. 1 (John and Rebecca) and Car Park No. 80 (King and Bay) – Rate Structures (PWT99011)

RECOMMENDATION:

(a) That the maximum daily rates for parking be increased at the following locations:

- Car Park No. 1 (John and Rebecca) from $2.00 to $2.50 per day
- Car Park No. 80 (King and Bay) from $4.00 to $5.00 per day; and

(b) That the responsibility for establishing and adjusting parking rates in municipal car parks be delegated to the General Manager of Transportation, Operations and Environment or his designate; and

(c) That the Municipal Parking Facilities By-law 98-110 be amended accordingly.

D. Lobo

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the 1999 Parking Services budget to cover the costs of revising the signs and well as reprogramming the Pay and Display parking ticket machines.

The recommended parking rates are designed to maximize revenues and to adequately respond to the demands for parking by encouraging an appropriate level of both daily and transient parkers.

BACKGROUND:

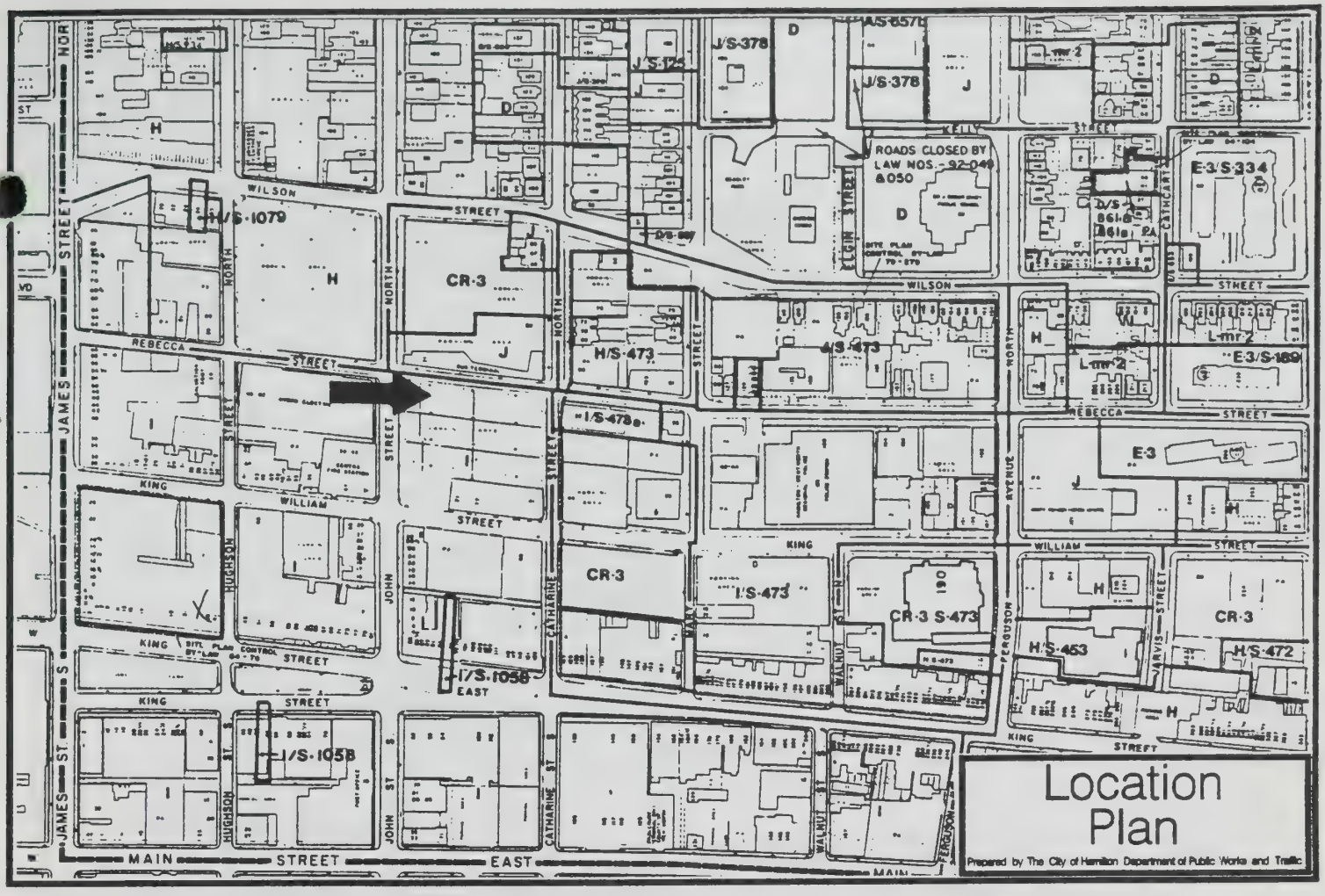
From time to time, it is necessary to adjust the rates in municipal car parks in order to compete with the private parking operators and changing conditions. The rates are designed to provide an appropriate balance of daily parkers and transient parkers, as well as to maximize revenues. However, the current rates at Car Park No. 1 and Car

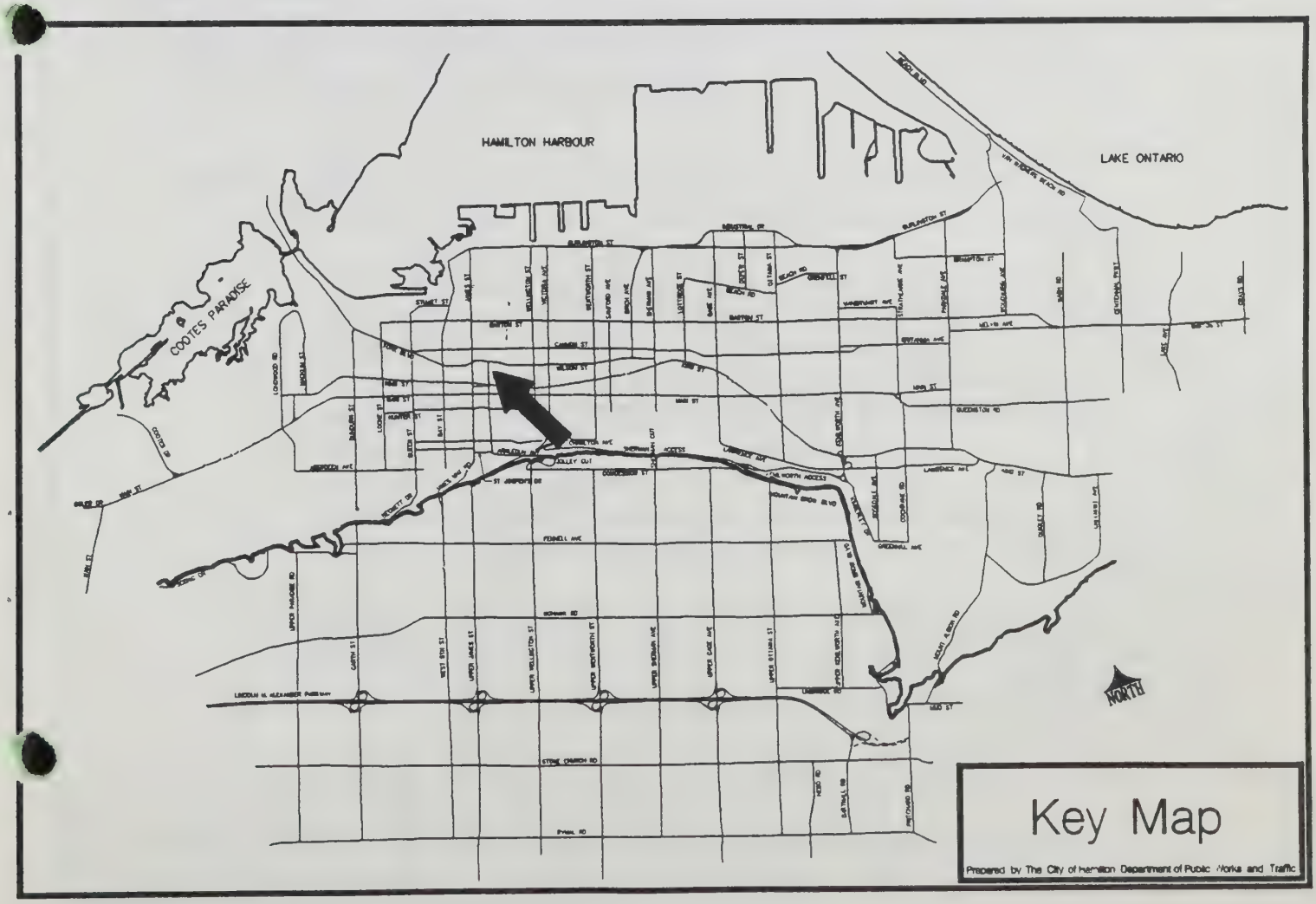
Park No. 80 are very attractive to daily parkers, and transient parkers are rarely, if ever, able to find available short-term parking. Therefore, minor increases in the daily parking rates are recommended, in this particular case, to provide an appropriate level of customer service.

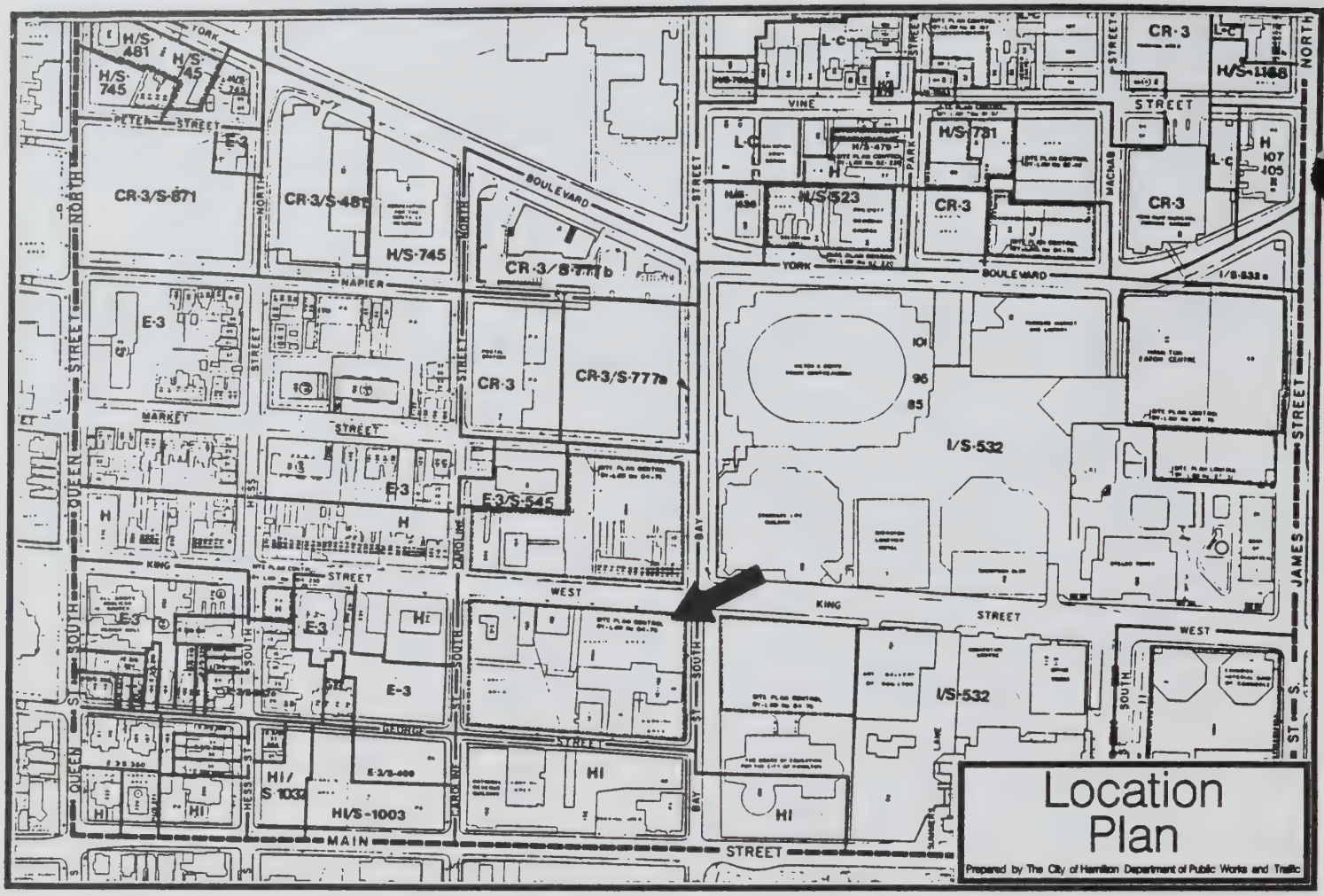
In the past, the General Manager of the former Hamilton Parking Authority was responsible for adjusting the parking rates upwards and downwards to reflect the economic climate, to be competitive with the private parking operators in close proximity and to respond to changing parking conditions. However, upon abolishing the Hamilton Parking Authority in 1998, the Hamilton City Council enacted a new Municipal Parking Facilities By-law, but directed that the parking rates for all municipal car parks be subject to Committee and City Council approval. This requirement places additional restrictions on competing with the private operators and in being able to adjust to changing conditions in a timely fashion, and can result in lost revenues and lost customers. It is difficult to regain former customers if they find suitable alternative parking while staff are waiting for the necessary approvals. Therefore, it is recommended that the authority for minor parking rate adjustments be delegated to staff.

MBH/kag

c.c. Art Leitch, P. Eng.
General Manager, Transportation, Operations and Environment


ROADS CLOSED BY LAW NOS. 92-049 & 050
CR-3
H/S-1079
H/S-473
I/S-473
I/S-478a
I/S-1058 EAST
I/S-1058
CR-3 S-473
H/S-453
H/S-472
E-3/S-334
E-3/S-169
E-3
JAMES ST. S
MAIN STREET EAST
WILSON STREET
REBECCA STREET
KING STREET
WILLIAM STREET
Location Plan
Prepared by The City of Hamilton Department of Public Works and Traffic


HAMILTON HARBOUR
LAKE ONTARIO
COOTES PARADISE
NORTH
Key Map
Prepared by The City of Hamilton Department of Public Works and Traffic


Location Plan
Prepared by The City of Hamilton Department of Public Works and Traffic
MAIN STREET
KING STREET WEST
YORK BOULEVARD
CR-3/S-871
CR-3/S-485
H/S-745
CR-3/S-777b
CR-3/S-777a
E-3/S-545
I/S-532
H/S-1003
H/S-1168
H/S-731
H/S-523
HAMILTON HARBOUR
LAKE ONTARIO
COOTES PARADISE
NORTH
Key Map
Prepared by The City of Hamilton Department of Public Works and Traffic

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 11
T103-23 (5) M. J. Preston

REPORT TO: Carolyn A. Biggs, Acting Secretary
Transport and Environment Committee

FROM: A. F. Leitch, P.Eng., General Manager
Transportation, Operations and Environment

SUBJECT: Temporary Road Closure of Ferguson Avenue Between King Street and King William Street: "Showcase Festival"

(TOE99008)

RECOMMENDATION:

That the application of the Hudson, located at 233 King Street East, Hamilton, to close Ferguson Avenue between King Street and King William Street from 1999 Friday August 20 at 12:00 noon to 1999 August 22 at 12:00 midnight for the "Showcase Festival", be approved, subject to the following conditions:

a) i) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained.

ii) That the applicant provide proof of $5,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.

iii) That all barricading, detour signing and traffic control is subject to the direction of the Chief of Police or his designate.

iv) That all barricading be supplied by and at the expense of the applicant.

v) That " Temporary Road Closure" signs be installed on the road by the Department of Public Works and Traffic, if deemed necessary by the General Manager, Transportation, Operations and Environment, at the expense of the applicant.

vi) That the applicant ensures that clean-up be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer.

vii) That no property owner or resident within the barricaded area be denied access to their property upon request.

viii) That all property owners and tenants along the closed portion of the road be notified of the event by the applicant prior to the event in a form acceptable to the General Manager, Transportation, Operations and Environment.

ix) That a Noise Control By-law Officer be in attendance throughout the event at the expense of the event organizer.

b) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the application of the Hudson, 233 King Street East, Hamilton, for a temporary extension of its liquor licence for August 20, 21, 22 in conjunction with the "Showcase Festival" and has no objection to the issuance of the licence.

A.F. Leitch, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND:

A request has been received from the Hudson nightclub to temporarily close Ferguson Avenue between King Street and King William Street to hold the "Showcase Festival". The event will feature food and alcohol served on the road allowance and Ferguson Station stage and will showcase several bands in the adjacent City owned parking lot. It is anticipated that 2,000 people per day will be in attendance.

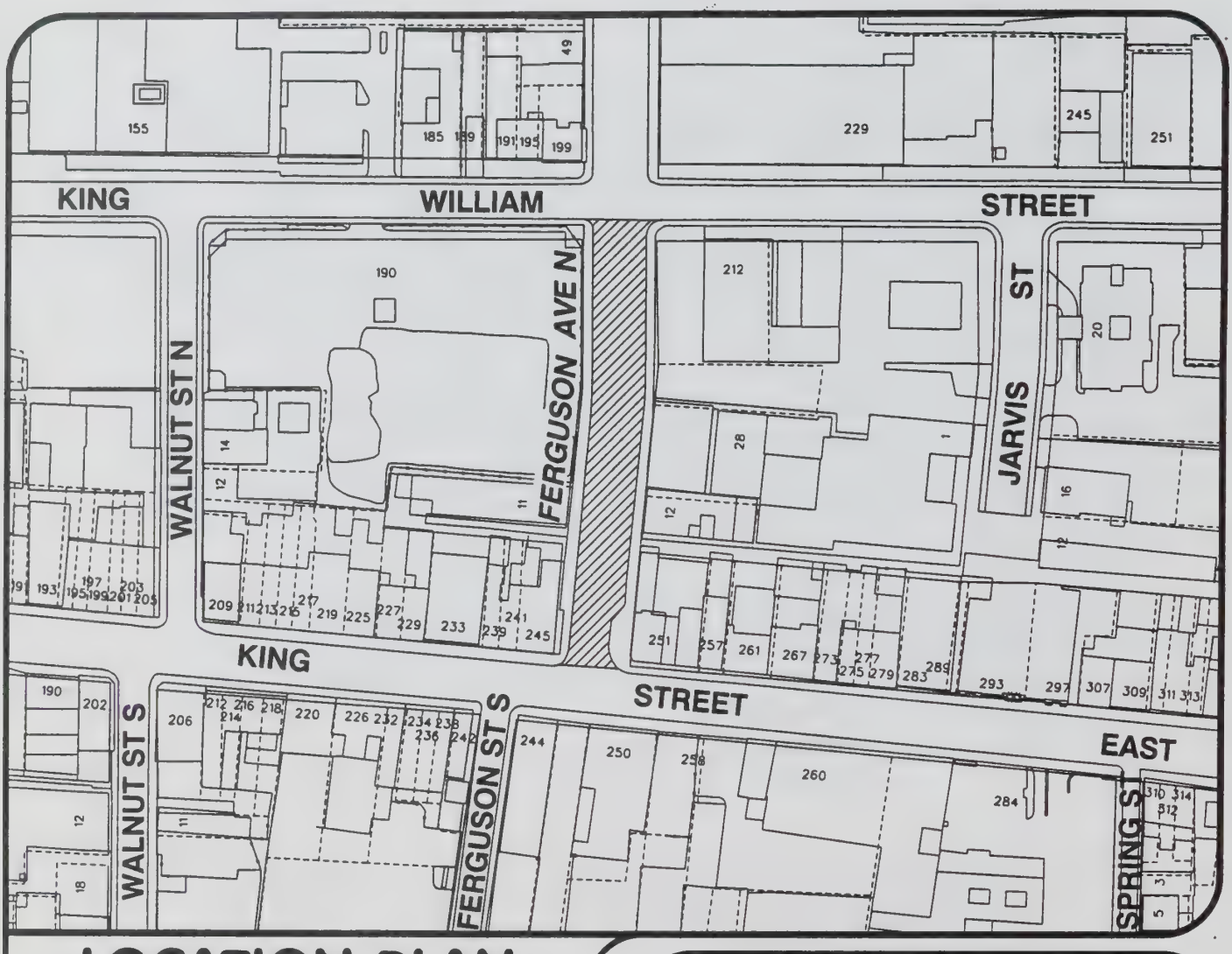
Temporary Closure of Ferguson Avenue
Between King Street and King William Street: "Showcase Festival"

The road will be closed from approximately 12:00 noon on 1999 August 20 for set up and will be reopened immediately after the event at approximately 12:00 midnight on 1999 Sunday August 22. All abutting property owners are in agreement with the closure.

The organizer has applied for a special event liquor licence and a Noise Control Officer and Regional Police Service will be in attendance at the expense of the event organizer. As well, two "Temporary Road Closure" signs will be installed at the entrances to the closure area and the City will be compensated for lost revenue from the parking lot, all at the expense of the event organizer.

The International B.I.A. has no objections to the festival as it highlights the Ferguson Station area and is expected to become an annual event. As the applicant has agreed to adhere to noise control and policing regulations, this Department is in favour of the event.

MJP:
Cc: P.C. D. Schwalm, Police Service
Cc: M. Hazell, Public Works and Traffic
CC: R. Fair, Culture and Recreation



LOCATION PLAN

FOR PROPOSED TEMPORARY PUBLIC ROAD CLOSURE

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
REGIONAL TRANSPORTATION DEPARTMENT

LEGEND

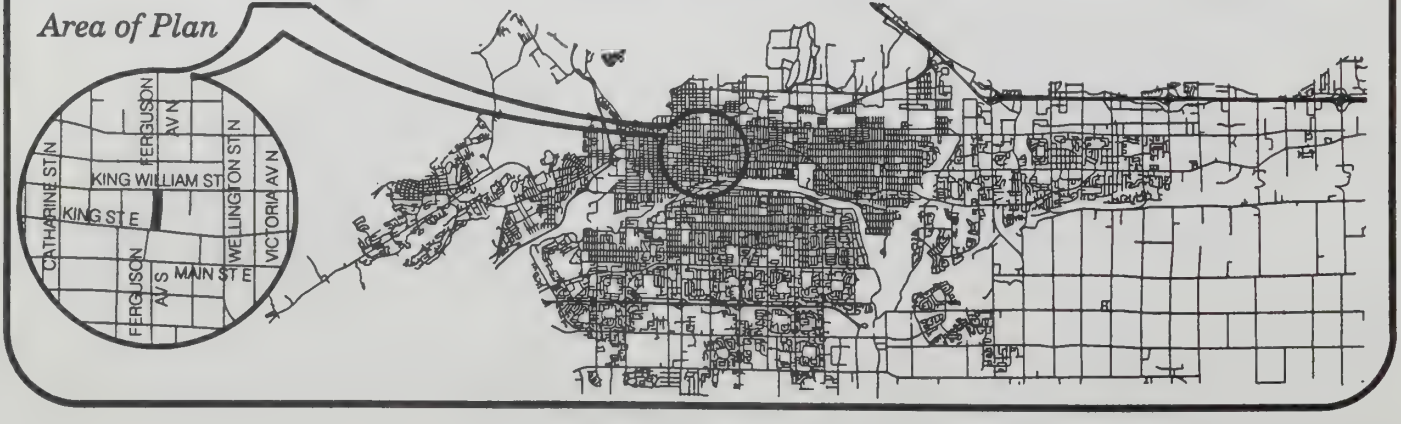
AREA OF PROPOSED TEMPORARY PUBLIC ROAD CLOSURE

NORTH	SCALE	REFERENCE FILE NO.
	Not to Scale	T103-23 (5)
	DATE	
	June 11, 1999	

NORTH

KEY MAP

NOT TO SCALE



FORM RP-98-1

road\t103-ferguson.dgn Jun. 11, 1999 16:20:01

Bill No. A-30

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

5a)

BEING A BY-LAW TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

   "Inchbury Southbound Florence"

2. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

3. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 6th day of July 1999.

MUNICIPAL CLERK MAYOR

Bill No. A-31

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

5b)

BEING A BY-LAW TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby amended by adding thereto the following items, namely:-

"Balmoral	West	commencing 366 feet south of Maple and extending 27 feet southerly therefrom	Anytime
Beechwood	South	commencing 289 feet west of Barnesdale and extending 21 feet westerly therefrom	Anytime
Emerald	West	commencing 62 feet south of Birge and extending 20 feet southerly therefrom	Anytime"

and by deleting therefrom the following items, namely:-

"London	West	commencing at a point 68 feet south of Montclair to a point 19 feet southerly therefrom	Anytime
London	East	commencing at a point 77 feet south of Montclair to a point 18 feet southerly therefrom	Anytime"

2. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

3. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 6th day of July 1999.

MUNICIPAL CLERK

MAYOR

Bill No. A-32

THE CITY OF HAMILTON

BY-LAW NO. 99-

TO AMMEND BY-LAW NO. 98-110

5c)

RESPECTING:

THE CONSTRUCTION, MAINTENANCE, OPERATION,MANAGEMENT AND REGULATION OF MUNICIPAL PARKING FACILITIES

WHEREAS Sub-section 56 of Section 207 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, confers upon the councils of all municipalities the authority to acquire, establish, lay out and improve land, buildings, and structures where vehicles may be parked, and for erecting buildings or structures for, or in connection with, the parking of vehicles;

AND WHEREAS Sub-section 56 of Section 207 of the Municipal Act, as amended, further provides for the regulation, supervision and governing of the parking of vehicles on land so acquired, established, laid out and improved;

AND WHEREAS Paragraph (6) of Section 191 of the Municipal Act, as amended, confers upon the councils of every corporation the authority to pass by-laws providing for the use by the public of lands of which the corporation is the owner and for the regulation of such use and the protection of such lands;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on the 14th day of April, A.D. 1998, did enact By-law No. 98-110, providing for the construction, maintenance, operation, management and regulation of municipal parking facilities;

AND WHEREAS the Council of the City of Hamilton deems it necessary and appropriate to amend By-law 98-110;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law 98-110, as amended, be further amended by repealing sub-section (a) of Section 1, in its entirety, and by substituting therefor the following sub-section:

   "(a) "by-law enforcement officer" includes any person so designated by a By-law of the City of Hamilton, any parking control officer and any officer of the City appointed for the purpose of carrying out the provisions of this By-law"

2. That By-law 98-110, as amended, be further amended by repealing sub-section (m) of Section 1, in its entirety, and by substituting therefor the following sub-section:

   "(m) "parking fees" means the fees established from time to time, by the City Council, or the General Manager of Transportation, Operations and Environment, or his or her designate, for the parking of a vehicle in a car park."

3. That By-law 98-110, as amended, be further amended by striking out the word "parks" in sub-section (1) of Section 6 thereof and by substituting therefor the word "park".

4. That By-law 98-110, as amended, be further amended by adding to Section 6 thereof the following sub-section:

"(6) The General Manager of Transportation, Operations and Environment, or his or her designate, shall establish such parking fees or charges as may be deemed necessary and appropriate for the use of any car park, or any space or area within a car park, and shall adjust or revise such rates from time to time as such adjustment or revision becomes necessary and appropriate.

5. That **Schedule 1** of By-law 89-110 is hereby amended by adding thereto the following items, namely:-

"1	76 John Street North	$ 1.00	$ 0.50	$ 2.50	$ 40.00
80	22 Bay St. S./119 King St. W.	$ 1.50	$ 0.75	$ 5.00	$ 69.49"

and by deleting therefrom the following item, namely:-

"1	76 John Street North	$ 1.00	$ 0.50	$ 2.00	$ 40.00
80	22 Bay St. S./119 King St. W.	$ 1.50	$ 0.75	$ 4.00	$ 69.49"

6. In all other respects, By-law 98-110 and the Schedule attached thereto is hereby confirmed unchanged.

7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 6th day of July , A.D. 1999

Municipal Clerk

Mayor

PARKS AND RECREATION COMMITTEE

BACKGROUND MATERIAL

CITY OF HAMILTON

- RECOMMENDATION-

DATE: 1999 June 16

REPORT TO: Chairperson and Members
Parks and Recreation Committee

FROM: Ross L. Fair, General Manager
Community Services Division

SUBJECT: Zero Tolerance of Violence in Culture and Recreation Facilities - Progress Report
CSC99004

RECOMMENDATION:

That City Council reaffirms its support for the Zero Tolerance to Violence Policy, which sets out principles, goals and definitions of acceptable behaviour within City owned properties.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are no financial, staffing or legal implications arising out of this recommendation.

BACKGROUND:

On 1997 August 26, City Council approved Item 12 of the 8th Report of the Parks and Recreation Committee authorizing the Director of Culture and Recreation to prepare a strategy for zero tolerance to violence within City facilities.

As a result, the City adopted a Policy of Zero Tolerance to Violence.

On 1998 January 27, City Council approved Item 11 of the 2nd Report of the Parks and Recreation Committee, amending the Zero Tolerance to Violence Policy by implementing a mandatory two month penalty for violation of the Policy.

Since its inception, there have been recurring issues surrounding the Zero Tolerance Policy and its administration and communication.

Initially, it was felt that this Policy would be best served through the establishment of a third party Appeals Board. The purpose of this Board would be to review appeals and assign terms for penalties. This proposal has been abandoned, as liability to the City would increase. As owners, responsibility for

the behaviours on the City property is clearly vested with the City. A third party ruling which proves to be in error would simply compound the City's responsibilities.

In addition to liability concerns, it is foreseen that the timely disposition of complaints may prove to become a hardship. That is, transgressors desire an immediate response and this is best supplied by staff.

We are continuing to investigate the possibility of reforming a revised City wide sport advisory body whose duties may include accreditation of sport volunteers, sport development, tournament bids and possibly a role in the Zero Tolerance Policy. We will advise in the future of our progress.

Nonetheless, our major sports associations continue to request an appeal procedure. It has been agreed that anyone who is not happy with the consequences may, in writing, request an appeal. **No appeals to time suspensions shall be considered. Only appeals based upon new information may be considered to ensure that the suspension awarded was in fact merited**. It is expected that few appeals will be granted. No formal process is considered. If questionable and allowed, the decisions made by the Manager shall be considered by the Director and sustained or altered accordingly.

A second recurring theme remains communication. Additional signs have been ordered for installation at our major sports parks. Public service announcements continue within the Arenas and additional letters have been sent to select memberships. It is expected that constant communication and re-emphasis shall be required to maintain the momentum of this initiative.

In this regard, our past efforts will continue; including posting the Policy at our venues, review by Sports Associations and inclusion in their information packets, consideration and recommendations arising out of the Spirit of Sport Task Force will be implemented as practical and Public Service Announcements continued.

Since the acceptance of this Policy as of 1998 January 1, we have recorded 21 incidents (1998 – 13, 1999 – 8) with the majority of suspensions having arisen out of carryovers from the respective sports.

Some incidents have revolved around parents abusing volunteers in the carrying out of their duties.

It is suspected that fewer incidents are being reported by respective groups in an effort to avoid suspension; however, the trend appears to be slowing in all areas. A listing of the types of incidents is attached hereto along with a copy of the Policy.

In conclusion, it is felt that the Zero Tolerance Policy is an indispensable tool in ensuring safe and welcoming environs for our patrons. Continuous education and promotion is required to improve results and instill the ideals of fair play and sportsmanship.

If, and as identified, improvements to the Policy will be considered and implemented. A report accompanying any changes will be forwarded to Council outlining the purposes and goals to be achieved.

WPM/dj

c.c. Jennifer Davidson, Corporate Counsel
Ken Duncliffe, Director, Culture and Recreation Department
William Moffatt, Manager, Facility Operations, Culture and Recreation
Bob Chrystian, Manager of Parks, Public Works and Traffic Department
David Adames, Business Partner, Corporate Services
Sports Liaisons, Culture and Recreation Department
Facility/Centre Supervisors
Superintendents, Outdoor Sports Facilities

ZERO TOLERANCE TO VIOLENCE

ARENAS DIVISION

1997

Incidents

1. November 1997 – Lawfield Arena - Two players were banned for fighting. One player's ban was rescinded, as he was non-retaliatory. Other player banned for two months.

2. November 1997 – Inch Park Arena -Parent of a player involved in a physical altercation with a referee (profanities, threats and slapped helmet with enough force to cause chinstrap holder to come off). Banned for 3 months.

3. December 1997 – Chedoke Twin Pad - Parent used verbal assault, intimidation and threats against another parent in the parking lot of the arena. Parent banned for two months.

4. December 1997 – Chedoke Twin Pad - Two players were banned for fighting while exiting the facility for two months.

5. December 1997 – Scott Park Arena - Player banned for two months for abusive and threatening behaviour following a game (threatened to have an executive member killed by having people bring a gun).

ZERO TOLERANCE TO VIOLENCE

ARENAS DIVISION

1998

Incidents

1. January 1998 – Mountain Arena - Two players were banned indefinitely for fighting in the hallway of the arena following their game.

2. February 1998 – Scott Park Arena - A spectator was banned indefinitely for physical contact with a referee (words were exchanged, spectator shoved referee from behind).

3. February 1998 – Lawfield Arena - A youth was banned indefinitely for threatening behaviour ("I'll kill you", "you're dead") during a Public Skating Program.

4. February 1998 – Mountain Arena - A gentleman was banned for six months for unsolicited aggressive behaviour (shaking hands, hugging and kissing of individuals). Any repeat of such unwelcome behaviour will result in a lifetime suspension.

5. April 1998 – Lawfield Arena - A spectator was banned indefinitely for violent behaviour (picked up a hockey stick and slammed it into the glass of exit/entry door with full force) during a game after a penalty was called.

6. May 1998 – Chedoke Twin Pad Arena – A spectator was banned indefinitely for intimidating and abusive behaviour towards a convenor because ice was cleared early during tryouts.

7. May 1998 – Eastwood Arena – a player who had been banned from playing ballhockey was at the arena as a spectator and was banned for two months for threatening and abusive behaviour and use of vulgar language.

8. July 1998 – Eastwood Arena – a player was banned indefinitely for threats to personnel and property following disputes on floor surface during a game.

ZERO TOLERANCE TO VIOLENCE

ARENAS DIVISION

1999

Incidents

1. January 1999 – Coronation Arena – a player was banned for two months for threatening behaviour.

2. January 1999 – Scott Park Arena – a player was banned for two months for threatening and abusive behaviour.

3. February 1999 – Scott Park Arena – a player was banned for loud and abusive language and potential damage to a building.

4. February 1999 – a parent was banned for two months for abusive behaviour and subsequent one-year suspension for threatening and abusive behaviour to staff, officials,volunteers.

5. February 1999 – Lawfield Arena – 2 brothers banned for threatening and intimidating behaviour and use of inappropriate language.

6. February 1999 – Coronation Arena – a player was banned for two months for a reoccurrence of abusive behaviour.

7. March 1999 – Lawfield Arena – a player was suspended indefinitely pending investigation for abusive behaviour.

8. March 1999 – Inch Park Arena - 2 players banned until December 1, 1999 for physical violence.

ZERO TOLERANCE TO VIOLENCE

COMMUNITY SERVICES DIVISION

1996

INCIDENTS

1. June 1996 – A 13 year old called an adult a name ("psycho-dude"). The adult swore at the youth and slapped him in the face.

2. August 1996 – Outdoor Pool. Incident involved an elderly man standing outside pool fence fondling himself while staring intently at the young female swimmers. Police were called and an incident report completed. Individual was banned from all facilities for six months.

ZERO TOLERANCE TO VIOLENCE

COMMUNITY SERVICES DIVISION

1997

INCIDENTS

1. April 1997 – Individual entered facility carrying a knife threatening to kill. He had been involved in an argument outside the centre earlier with a youth. He went home to get a knife and came back into the centre looking for him. Banned for one year.

2. March 1997 – Six youths involved in a fight. Two had already been sent registered letters banning them from the centre. Pushing, shoving and threatening occurred. One youth had a knife. Police were called to the scene. Four of them were expelled for three months from all centres. Three months added on to length of previous expulsion for the two youths.

3. July 1997 – Outdoor Pool/Park – Angry father became involved with a group of teens in the park who he claimed had egged his home and broken a window the night before. When he spotted them in the park/pool area he threatened to kill them and came after them with a baseball bat. Police were called and he was arrested. Banned for six months.

4. July 1997 – "Supie" Program – Older special needs adult kept bothering the children by staring at them and inappropriately touching them. Banned from entering park while "Supie" present for three months.

5. September 1997 – Recreation Centre – Adult became very aggressive and started screaming at staff when he was not allowed to pre-register his child in swimming lessons (child had not been registered in the previous session as required).

6. November 1997 – Recreation Centre – Three youths with a history of showing disrespect to staff, i.e. threatening receptionist and making a gun with his finger, using stolen membership cards, etc. This incident involved a fight breaking out over a game of basketball. One of the youths had a knife. Banned for six months.

ZERO TOLERANCE TO VIOLENCE

COMMUNITY SERVICES DIVISION

1998

INCIDENTS

1. January 1998 – Adult was carrying a knife in his gym bag at a recreation centre and threatened other patrons. Banned for a year.

2. July 1998 – Gilkson Youth Soccer – a teen was banned indefinitely for threatening and abusive behaviour and inappropriate language

3. September 1998 – Huntington Park Recreation Centre – a teen was banned for one year for repeated threatening and intimidating behaviour. This same teen was banned from Lawfield Arena for same offence.

4. November 1998 – Jimmy Thompson Pool – a teen was banned for one year because of verbal abuse and physical violence towards another patron.

5. November/December 1998 – Bennetto Recreation Centre - 2 teens from same family banned for 3 months for threatening violence and inappropriate behaviour.

CITY OF HAMILTON

DEPARTMENT OF CULTURE AND RECREATION

ZERO TOLERANCE OF VIOLENCE IN RECREATION FACILITIES POLICY:

Policy Statement:

The City of Hamilton's recreation facilities: arenas, recreation centres, outdoor pools and parks sports pitches exist to provide residents with opportunities to participate in sport and other recreational activities in a safe and positive environment. The City will ensure the most supportive climate possible for Hamilton children, so that they can enjoy their sport, and learn about competition, teamwork, sportsmanship and fair play.

As with many Ontario communities, Hamilton's minor sport system is managed and operated by volunteers. These community-minded citizens contribute in many ways to the success of minor sport in Hamilton. It is the City's responsibility that they, too, have the ability to work in a safe and positive environment.

It is critical, then, for the City, via the Department of Culture and Recreation to do all things necessary to ensure that deterrents are in place to ensure that incidents of violent behaviour do not occur in its recreation facilities.

Included in this commitment is an understanding that organizations that rent City facilities must take PRIMARY responsibility for the behaviour of all associated with them: players, officials and spectators.

Statements of Principle:

1. Participation by children in sport is an important element in the human development process.

2. To ensure maximum enjoyment and benefits from participation in sport, the maintenance of a safe and positive environment is essential.

3. The rules of each of the games exist to protect the players. Referees/officials are charged to ensure the fair and even application of the rules and to ensure safety of the players.

4. These referees/officials as well as organizers of minor sport, are for the most part volunteers and, as such, the City must put measures in place to ensure their safety.

5. Violent or abusive behaviours, such as verbal threats and insults, attempts to intimidate as well as physical assault and battery have no place in the City's recreation facilities.

6. Promotion of spectator "positive cheering" will assist in the reduction of violent

behaviours in City facilities.

Goals of the Policy:

1. To reduce or eliminate violence from City-owned recreation facilities, including outdoor sports pitches.

2. To promote positive cheering behaviours among spectators and fans.

3. Increase the level of understanding among spectators and fans of the importance of creating a positive and supportive environment for children's sport.

Definition of Violence:

For the purposes of this Policy, the focus is on the behaviour of non-players, except in a situation in which a player leaves the area of play to engage in a violent act.

Violence is seen to be the following behaviours:

* loud verbal assaults
* threats and attempts to intimidate
* throwing of articles in a deliberate or aggressive manner
* aggressive approaches to another individual
* physical striking of another individual
* attempts to goad or incite violence in others

The Consequences:

Individuals who engage in any of the above behaviours will be subject to immediate ejection from the facility and a further ban from all City facilities for a period of time to be determined by the Director of Culture and Recreation.

All incidents will be reported to the Hamilton-Wentworth Regional Police. Criminal charges may follow.

Components of the Policy:

The Education Component:

The Department of Culture and Recreation, with its local sports partners, will undertake a promotional and educational campaign aimed at raising awareness among parents, volunteers and spectators of the Zero Tolerance Policy and, in particular, the importance of their role in creating a positive playing atmosphere in City recreation facilities.

This component will include posters to be hung in all facilities; circulation of the policy to all

stakeholders as well as posting of the policy in all City facilities; inclusion of reference to the policy in affiliate organization newsletters/handbooks.

The Enforcement Component:

In accordance with the Occupiers Liability Act, the Occupational Health and Safety Act, the Trespass to Property Act and the Criminal Code, the Policy will detail actions to be taken by staff if violent behaviours are observed or reported by organizations that have rented City facilities. The Procedures section of the Policy will detail actions to be taken.

Implementation:

If approved by Council the policy will take affect on 1 September 1997. The Policy will be implemented in two phases:

The Education Component will be launched immediately in order to provide fair warning to all parties of the Policy and its impacts on their behaviour. It is anticipated that this phase will have an immediate impact but will need to be an ongoing effort.

During the Fall of 1997, staff and volunteer organizations will work together to increase awareness of the policy.

Incidents of a verbal nature will be tolerated initially, but will be noted and raised as an issue by the organization utilizing the facility.

Incidents of a physical nature will be dealt with as in the past. Immediate ejection from the facility, possible banning, and a call to the police.

Staff training will also continue through this phase.

Full Implementation will be achieved by 1 January 1998. It is anticipated that all affected parties will have an awareness of the existence and contents of this policy by this time.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 14

REPORT TO: Chairperson and Members
Parks and Recreation Committee

FROM: Ross L. Fair, General Manager
Community Services Division

SUBJECT: Sale of Alcoholic Beverages – Mohawk Sports Park
Hamilton Hornets Rugby Football Club Inc. – August 11, 1999
CSC99002

RECOMMENDATION:

That approval be granted to the Hamilton Hornets Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park on August 11th, 1999 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Licence Agreement with the Hamilton Hornets stipulates that the Club must obtain Special Occasion Permits to cover all consumption of alcoholic beverages associated with its activities and events, subject to Council approval.

The Licence Agreement also requires the Club to provide proof of Commercial and General Liability Insurance, inclusive of Bodily Injury, Property Damage and All Risks Tenants Legal Liability in the amount of $5 million to include Liquor Liability, naming the City as co-insured.

BACKGROUND:

Council at its meeting of May 11th, 1999 and June 29th, 1999 approved the request by the Hamilton Hornets Rugby Football Club to sell alcoholic beverages on May 15, 27, June 5, 12, July 9, 17, 24, 31, August 14, 21, 28, September 3, 4, 5, 6, 11, 18, 25 and October 17, 1999 by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence. The Club is required to obtain permission to acquire Special Occasion Permits for game days only. The above date is in addition to the dates already requested.

Department staff has no record of complaints with respect to the Club's conduct and have concluded that the Club has continued to carry out its activities responsibly and professionally.
/cs

c.c. Wm. Moffatt, Manager, Facility Operations
P. D'Alessandro, Coordinator Administration Services and Information
M. Hammond/C. Secore, Community Sports Liaisons

CITY OF HAMILTON

- RECOMMENDATION –

DATE: 1999 June 14
Author: Penny Ulbinas

REPORT TO: Ms. T. Agnello, Secretary
Parks and Recreation Committee

FROM: Mr. D. Lobo, Commissioner
Department of Public Works and Traffic

SUBJECT: **City of Hamilton Draft Trails Master Plan – Authorization to Attend Public Open House (PWT99019)**

RECOMMENDATION:

a) That staff be directed to arrange and attend a public open house meeting to present a draft Trails Master Plan and receive public and stakeholder input on the proposal; and,

b) That a final report be forwarded to Committee and City Council after receiving public input; and,

c) That based on the proposed alignment of the Trans Canada Trail through the City of Hamilton, staff be authorized to make application to the Trans Canada Trail Foundation for designation and inclusion in this program.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

With the Council approved arrangement whereby the tenant of 22 Veever's Drive (Glen Manor Estate) is authorized to occupy the residence, rent and property tax free, for the lease period, in lieu of rental payment, the tenant is responsible for undertaking a work program designed to equal the value of rent plus taxes. The City of Hamilton Trails Master Plan involved Mr. Tomlinson (the tenant) in compiling data, and researching proposed recommended linkages and trail alignment for future development.

Costs for Mr. Tomlinson's professional services are covered by the rental agreement.

**City of Hamilton Draft Trails Master Plan –
Authorization to Attend Public Open House (PWT99019)**

City staff together with Mr. Tomlinson are working toward completion of the defined work program.

From a legal perspective, the lease and consultant agreement covering Mr. Tomlinson's tenancy over 1998 has been used as a basis for implementing relative portions of this recommendation.

With reference to the Trans Canada Trail, a pre-requisite to any funding eligibility and inclusion in this cross Canada initiative is registration for TCT designation and execution of a letter of agreement. Given that opening of this trail will involve community based events from coast to coast, it is important that we indicate interest in participating at the earliest possible date. Information about the TCT was circulated via an Information Report dated February 11, 1999.

BACKGROUND:

In accordance with the approved long term use plan for Glen Manor, the City entered into a lease and consulting agreement with Mr. Neil Tomlinson effective for a one year period commencing 1998 February 01.

Mr. Tomlinson's credentials and interests were well suited to this Trails Master Plan project which involved taking an inventory and documentation of site conditions associated with natural and built corridors within City boundaries. Focusing on potential for enhancing our existing network of recreational trails and forecasting remediation measures, where necessary the final document will also include the costs and other implications associated within this form of linear park development.

The proposed open house represents an opportunity to gain public input and support for future trail development and to convey information about the Trans Canada Trail project. Application to the TCT Foundation, based on a draft alignment allows for changes, if necessary, while ensuring our involvement in this National endeavour.

A copy of the draft report supporting the master plan and proposed trail alignments will be available for review and discussion as part of the staff presentation on this matter.

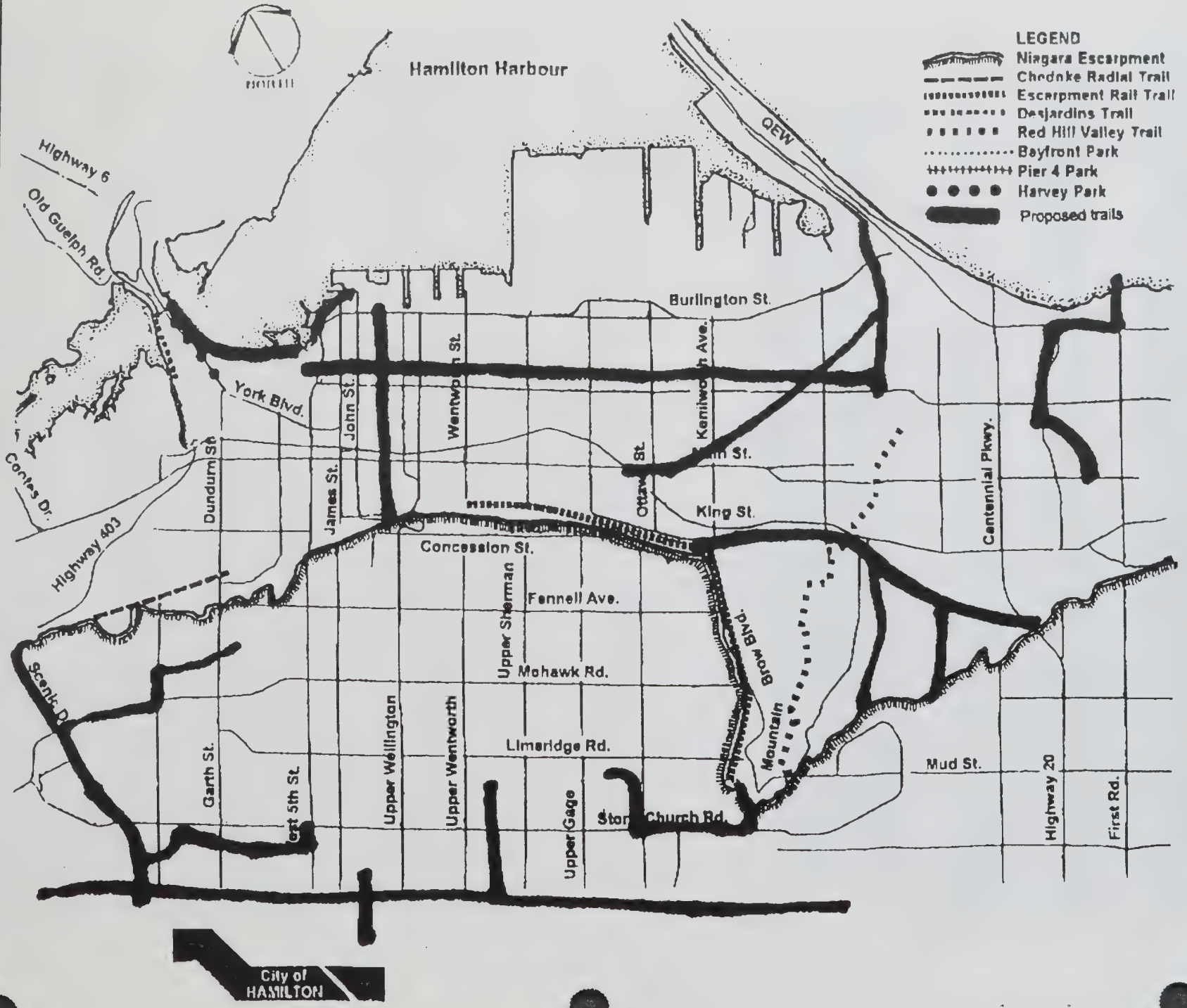
With the approval of Council, Mr. Tomlinson's lease was extended to May 30, 1999 due to the scope of work involved with this project. Given that his work is

now complete, Mr. Tomlinson has terminated his lease with the City and has taken up residence elsewhere. At present 22 Veevers Drive is vacant.

PSU:bg
Attch.

cc: All Members of City Council
A. Leitch, General Manager, Transportation, Operations & Environment
A. Ross, General Manager, Finance Division
R. Chrystian, Manager of Parks
R. Roszell, Corporate Counsel, Law Department

CITY OF HAMILTON RECREATIONAL TRAILS



CITY OF HAMILTON

- RECOMMENDATION –

DATE: 1999 June 08
Author: Penny Ulbinas

REPORT TO: Ms. T. Agnello, Secretary
Parks and Recreation Committee

FROM: Mr. D. Lobo, Commissioner
Department of Public Works and Traffic

SUBJECT: **Concept Plan for Park Development of Former CP Lands – Forest Avenue (PWT99016)**

RECOMMENDATION:

That City Council endorse the concept plan for park development of the CP Lands site located on Forest Avenue prepared by staff in consultation with a citizens advisory committee and the Ward 2 Aldermen, and represented on Schedule 'A' attached to this report.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

From a financial perspective City Council approved the acquisition and development of the former Forest Avenue Rail Yard from C.P. Rail in 1997. The capital funding allocation for land purchase and park development was $1,600,000. $1.1 million will be used to purchase the property with the remaining funding to be used to develop to the park site.

Any matters of a legal nature have and will continue to be referred to the Law Department.

There are no staffing implications.

BACKGROUND:

The proposed development plan is attached as Schedule 'A'.

This plan was prepared by staff in consultation with a neighbourhood park committee (30 members) and the Ward Aldermen. This committee was formed in early 1998 and met on at least eight occasions during the past year. The preferred plan was presented and endorsed by the neighbourhood on 1999 April 14.

Concept Plan for Park Development of
Former CP Lands – Forest Avenue (PWT99016)

The plan contains two major components, sports fields and a neighbourhood component. The Corktown Neighbourhood and Community has a severe shortage of sports field facilities, as do many of the downtown neighbourhoods. Currently, the youth in the area are denied the opportunity of participating in summer sports activities within their own neighbourhood or community or must join an organization outside their community to play sports. From a programming perspective, a sports association works best when a number of fields can be located at one site. Due to the rapid rise in youth involved in soccer, the concensus of park development committee members was for soccer fields at this community level park. The neighbourhood component proposed in the plan includes a play structure and swing area, sun shelter, fountain and hard surface area for children's games.

Other amenities included in the plan are: site furniture, pathways, lighting, trees and a shaded passive area. An alignment for the extension of the Escarpment Rail Trail to Wellington Street South has been incorporated in the plan, as well as the streetscaping along Ferguson Avenue.

Since this community park serves the downtown community, where residents may drive to the park, a parking area with up to 51 spaces adjacent to Forest Avenue has been incorporated within the plan.

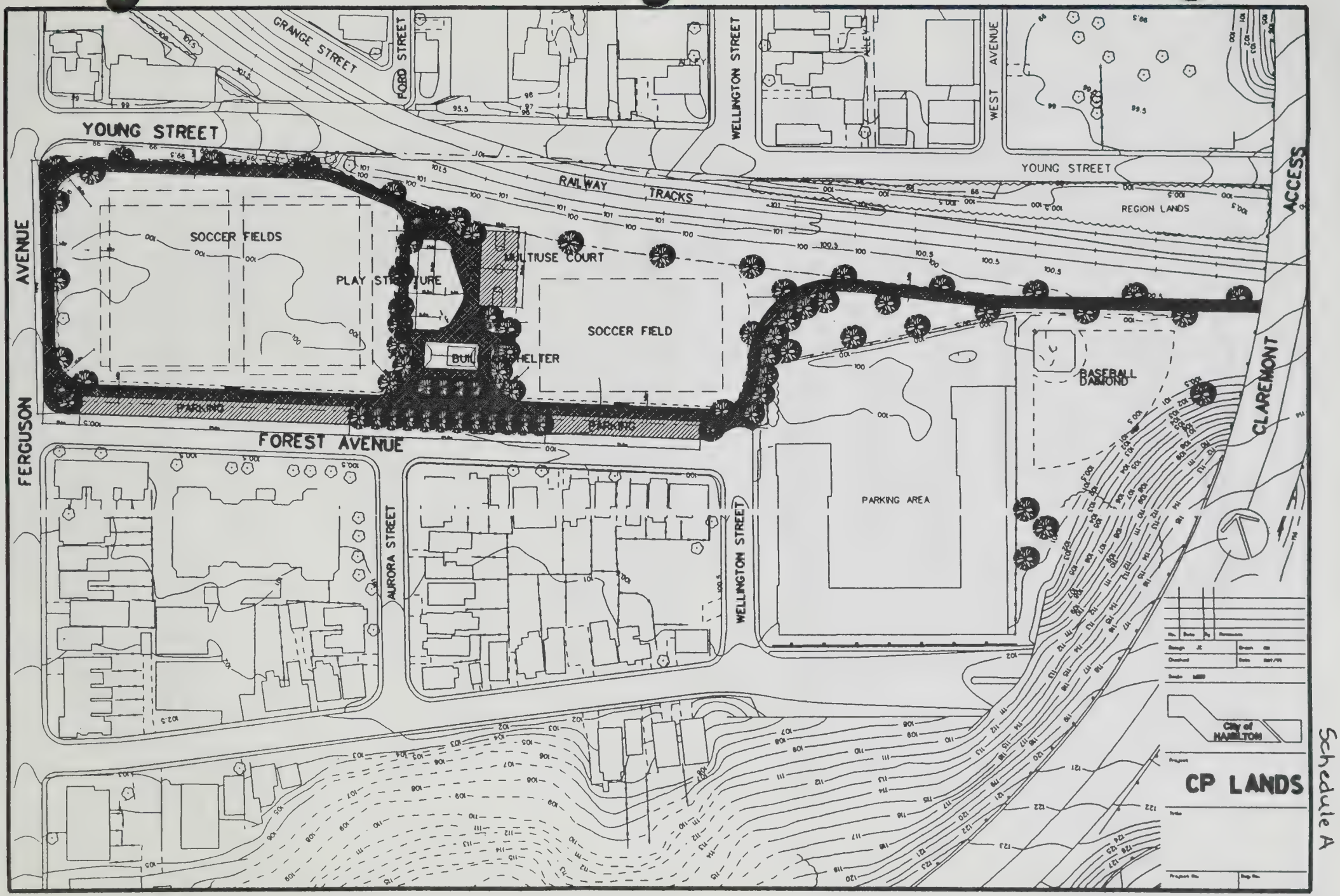
Prior to CP transferring ownership of the site to the City, the site is being remediated by CP. The remediation work started in early May and will be completed prior to the transfer of land ownership expected in July, 1999.

Construction of the park is proposed to commence in mid July with completion anticipated in the fall allowing active play to commence in the spring of 2000. As no topsoil presently exists on site, the major construction component is the importing of over 8,000 cubic metres of topsoil.

The central area of the lower City is subject to site plan approval and as such the plans for this site have been submitted for site plan approval.

PSU:bg
Attch.

cc: Alderman A. Horwath, Ward 2
Alderman R. Corsini, Ward 2
Mr. A. Leitch, General Manager,
Transportation, Operations and Environment
Mr. A. Ross, General Manager, Finance Division
Mr. R. Roszell, Corporate Counsel, Law Department
Mr. R. W. Chrystian, Manager of Parks
Mr. K. Duncliffe, Director of Culture and Recreation
All Park Staff Committee Members


GRANGE STREET
FORD STREET
WELLINGTON STREET
WEST AVENUE
YOUNG STREET
YOUNG STREET
RAILWAY TRACKS
REGION LANDS
ACCESS
FERGUSON AVENUE
SOCCER FIELDS
MULTIUSE COURT
PLAY STRUCTURE
SOCCER FIELD
BUILDING
SHELTER
BASEBALL DIAMOND
CLAREMONT
PARKING
PARKING
FOREST AVENUE
AURORA STREET
WELLINGTON STREET
PARKING AREA
City of HAMILTON
CP LANDS

Schedule A

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 14
Author: Penny Ulbinas

REPORT TO: T. Agnello, Secretary
Parks and Recreation Committee

FROM: D. Lobo, Commissioner
Department of Public Works and Traffic

SUBJECT: **Award of Contract for Construction of Multi-Purpose Building – Former CP Lands – Forest Avenue (PWT99017)**

RECOMMENDATION:

a) That approval be given to issue a purchase order to Lael Construction Co. Ltd, Hamilton Ontario in the amount of $159,644.00 including G.S.T. for the construction of the Multi-Purpose building at CP Lands Park being the lowest of three (3) tenders received in accordance with specifications C11-2399 issued by the Purchasing Division and vendors tender, and be financed from Capital Funds Account No. CF409750010 upon the City taking ownership of the lands; and

b) That a contract satisfactory to the Corporate Counsel be entered into between the City and Lael Construction Co. Ltd., of Hamilton, Ontario; and

c) That the Mayor and City Clerk be authorized to execute the associated contract in a form satisfactory to the Law Department.

D. Lobo

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

From a financial perspective, the total cost for construction of the Multi-Purpose building including taxes is $159,644.00 and will be funded as follows:

Award of Contract for Construction of Multi-Purpose Building – Former CP Lands – Forest Avenue (PWT99017)

Account Number	Budget	Expenditures
CF409750010	$1,600,000.00	$159,644.00

There are no staffing implications.
The Law Department will be requested to prepare the necessary documents.

BACKGROUND:

Three (3) bids were received for construction of the Multi-Purpose building at CP Lands Park with the lowest acceptable bid submitted by Lael Construction Co. Ltd.

The following is a summary of bids received including G.S.T.:

Lael Construction Co. Ltd	$159,644.00
Bestco Construction	$177,271.18
TRP Construction	$184,724.80

Staff recommend award of contract to Lael Construction Co. Ltd. The closing date of sale of land from CP Rail to the City of Hamilton is July 8, 1999.

PSU:mlr

cc: Alderman, A. Horwath, Ward 2
Alderman, R. Corsini, Ward 2
A. Ross, General Manager, Finance
A. Leitch, General Manager, Transportation, Operation & Environment
J. Bruzzese, General Manager, Corporate Services
R. Roszell, Corporate Councel, Law Department
R. Chrystian, Manager of Parks

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 14
Author: Werner Plessl, Penny Ulbinas

REPORT TO: T. Agnello, Secretary
Parks & Recreation Committee

FROM: D. Lobo, Commissioner
Department of Public Works and Traffic

SUBJECT: **Formation of Task Force for Purpose of Investigating Future Skateboard Facilities (PWT99018)**

RECOMMENDATION:

a) That for the purposes of establishing future skateboard facilities in the City of Hamilton, a task force be established and comprised of two aldermen, representatives from Hamilton-Wentworth Regional Police, the Boards of Education, five members of the user groups (citizens at large); and,

b) That the City Clerk be authorized to advertise for the private sector citizen positions (users) in order that interviews may be completed and a task force established; and,

c) That staff be responsible for interviews and selection of citizen members; and,

d) That the task force investigate user needs, criteria for site selection, environmental impacts, design components, operational rules and regulations, public outreach; and,

e) That an inter-departmental staff team be formed to support the Task Force with representation from the Parks Division, Community Services and Law Department; and,

f) That a capital budget submission be submitted in the 1999-2008 capital budget; and,

Formation of Task Force for Purpose of Investigating Future Skateboard Facilities (PWT99018)

g) That the findings of the task force be submitted to the Parks and Recreation Committee.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

From a financial perspective, following the recommended process it is anticipated that sites will be identified for various sized facilities, indoor and outdoor. Costs will be reported once sites have been selected.

Capital upgrades together with cost recovery opportunities will be brought to Committee prior to any work commencing.

No additional staffing is required.

From a legal perspective the creation of additional skateboard facilities in the City of Hamilton could increase the City's liability. To reduce the City's liability, appropriate signage would be installed warning of the risks and indicating users are at their own risk. Any matters of a legal nature will be referred to the Law Department.

BACKGROUND:

At the Transport and Environment Committee meeting 1998 September 21 staff were asked to review the issue of skateboard and bikes on City sidewalks and evaluate this matter in as broad a context as possible.

Skateboarding is a legitimate sport requiring skill, courage and imagination. This user group requires an environment to practise, congregate and perform in. The City provides facilities for many sports i.e. baseball, soccer, hockey, bocce situated across the City but is lacking adequate skateboarding facilities.

Presently there exists two skateboard facilities in the City, one at Beasley Park and one at Mohawk Sports Park. These facilities are not meeting the current needs of the user population in Hamilton. A retrofit to Beasley and/or expansion to the Mohawk facility is an option but will only provide an interim solution to the needs of the community.

Formation of Task Force for Purpose of Investigating Future Skateboard Facilities (PWT99018)

The task force will look at providing alternatives to using public space such as sidewalks and streets and public plazas by offering facilities of various sizes, levels of experience, and various locations (indoor versus outdoor).

The task force will develop:

- criteria for site selection and design components based on the experience of other municipalities and user groups
- operational rules and regulations for use of the facilities
- public outreach and education programs
- methods of cost recovery and/or partnerships

Staff will review current City by-laws to determine whether amendments are required and bring any changes to the appropriate Standing Committee.

WJP:PSU:bg

cc: Alderman C. Collins, Chairman, Transport and Environment Committee
J. Bruzzese, General Manager – Corporate Services
A. Leitch, General Manager, Transportation, Operations and Environment
R. W. Chrystian, Manager of Parks
R. Fair, General Manager, Community Services
K. Duncliffe, Director of Culture & Recreation
R. Roszell, Corporate Counsel
W. J. Plessl, Co-ordinator of Park Development & Maintenance

CITY OF HAMILTON

- RECOMMENDATION –

DATE: 1999 June 14
Author: Lawrence Stasiuk

REPORT TO: T. Agnello, Secretary
Parks and Recreation Committee

FROM: D. Lobo, Commissioner
Department of Public Works and Traffic

SUBJECT: **Request for Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)**

RECOMMENDATION:

a) That the Commissioner of Public Works and Traffic be authorized to commence a design-build process for the design, fabrication and installation of a floating structure for the Desjardins Canal section of the Hamilton Harbour Waterfront Trail subject to the process being conducted in two stages as follows:

   i) a Request for Expressions of Interest (RFEI) with an invitation advertised across Canada and the United States, and secondly

   ii) a Request for Proposals to be invited from a short list of three to five vendors selected from those responding to the RFEI; and,

b) That after the RFEI submissions have been evaluated the Commissioner of Public Works and Traffic report back to Committee with a recommendation on proceeding with the RFP stage of the process taking into account budget requirements, specifications, schedule and other project components; and,

c) That the Director of Legal Services and Corporate Counsel and the Supervisor of Purchasing and Accounts Payable be requested to assist with the preparation and evaluation of the RFEI; and,

Request for Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

d) That the costs associated with this RFEI/RFP process be financed from Capital Account No.CF62975026 - Harbour Waterfront Trail – Phase I.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

In 1997, City Council approved a capital budget of $1,000,000. for the Hamilton Harbour Waterfront Trail. The overall cost of the project is estimated at $5.0 million with future partnerships identified as funding sources. To date, the project has received funding from the following sources:

City of Hamilton	$1,000,000.
Fish & Wildlife Habitat Restoration Project	$ 50,000.
Waterfront Regeneration Trust	$ 107,000.
Bay Area Restoration Council	$
Hamilton Region Nature Walk	$ 2,600.
Public at Large	$ 2,000.
	$1,161,600.

$3.8 million is still required to complete the project.

The estimate for the Desjardins Canal floating structure component of the Harbour Waterfront Trail is $1,000,000. for the structure, ramps at each end, concrete abutments and anchors, railings, electrical work, and site work. Funding is currently not in place for this item. Staff has applied to various partners for funding assistance and is currently waiting for their responses. Notwithstanding the current financial circumstances, staff is advocating commencement of this design-build process at this time in order to reduce overall processing time for receiving and evaluating project submissions following resolution of funding requirements.

Any matters of a legal nature will be referred to the Legal Services and Corporate Counsel Department.

Request for Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

BACKGROUND:

In 1998, the City of Hamilton purchased property from CN Rail and is finalizing purchases with the Corporation of the Town of Dundas, and the Royal Botanical Gardens. This will complete the City's assembly of land along the Stuart Street railway yard, the Desjardins Canal, and the Cootes Paradise shoreline for the City's proposed waterfront recreational trail.

The City of Hamilton is preparing for the construction of the Hamilton Harbour Waterfront Trail and fish and wildlife habitat enhancements. (see Map 1) The 2.4km – long paved trail along the shore from Bayfront Park to Princess Point, and across the Desjardins Canal will make the connection to the Lake Ontario Waterfront Trail in Burlington and the Desjardins Trail bordering Cootes Paradise. Special attention will be given to trail design to ensure universal accessibility. The expanded trail system will provide residents and tourists a focal point to observe significant natural areas, including Cootes Paradise, as well as, designated national historic sites such as Dundurn Castle and the Royal Botanical Gardens.

Opportunities to interpret heritage and cultural features will be implemented along the trail route. This trail project will allow residents and visitors alike to appreciate our past and look to the future as the City and its partners continue working on the principles of sustainability and enhancing our overall quality of life.

An opening ceremony for the Hamilton Harbour Waterfront Trail, scheduled for 2000 July 01, creates a grand opportunity for this "ambitious" city to re-connect its people to the water, and to serve as a catalyst for continued remediation of the harbour. The ceremony aims to bring neighbourhoods and residents together and connect this important link of our trail network to the Lake Ontario Trail, the world reowned Bruce Trail and the exciting TransCanada Trail project.

City staff has been working with a Project Advisory Group (PAG) for the planning and design of the waterfront trail. A list of PAG members is attached as Schedule '1'. Site preparation and trail construction will commence following receipt of the various approvals anticipated in 1999 with completion scheduled for May 2000, subject to funding and time available for construction.

Request for Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

A critical component of the trail is the link across the Desjardins Canal (see Map 2). The portion of the trail that crosses under the CNR bridge, the York Boulevard bridge (Upper Levels, T.B. McQuesten Bridge), the CPR bridge, and Highway 403 bridge, presents many challenges. PAG has considered many options for this link including use of a fixed structure over water, and alternate routes using stairs and tunnels. These were rejected for reasons of cost and/or function. The recommended solution is a floating concrete structure. (See Map 3)

Many constraints have lead to the approval of this option, including steep side slopes, the requirement not to impede storm water flow through the canal, the requirement not to have any impact on the concrete abutments supporting the bridges, the requirement to maintain a minimum of 6.0m (20 ft.) clear navigational channel, and the trail requirements to maintain a 6.0m (20 ft.) wide trail that supports service and emergency vehicles.

The City has retained the consulting firm of Environmental Water Resources Group Ltd. of Mississauga to study the hydraulics of the canal. They have recorded the findings of their study in a draft report titled Hamilton Harbour Waterfront Trail, Desjardins Canal, Hydraulic Analyses, dated 1999 April 23. In this report, the consultants have analysed the hydraulic impacts of the proposed Hamilton Harbour Waterfront Trail through the Desjardins Canal, using a floating concrete structure. They have studied the impacts from the storm water runoff for different intensities of storms ranging from a two-year storm through to a 100-year storm and a regional storm to determine the Desjardins Canal peak flow rates.

The Consultants conclude that the floating section of the trail should not increase Cootes Paradise water levels significantly during flood events.

If the City intends on completing the trail for May 2000, it is necessary to commence the RFP Process for the design, fabrication and installation of the floating structure, ramp, and related shore work as soon as possible. This lead-time is needed to complete all of the required tasks including obtaining the necessary permits and approvals from agencies having jurisdiction over the work. Given that funding for this and other trail components is not presently in place, the recommendation authorizes only the first step in this 2 step process that being the receipt and evaluation of Expressions of Interest from qualified firms. Proceeding to the next step would come after consideration by Committee of

financial matters and processing / scheduling issues relative to this overall project.

The design and fabrication of a concrete floating structure, and the anchoring system to shore can be achieved in a variety of ways. The hydraulic jump in the canal, identified in the hydraulic analysis report is a significant issue that requires specialized marine and civil engineering expertise. Because of these variables, staff is recommending that this component of the trail be treated as a design-build project and proposals be sought from qualified proponents.

City staff is aware of qualified companies in British Columbia and in the United States who can furnish all of the necessary expertise and resources to provide a complete design – build package. There may be other qualified companies who can do the work, therefore staff is recommending that this initial stage of the RFP process be advertised in national daily newspapers and construction trade newspapers in Canada and the United States.

The RFEI will be prepared by staff and include project and contractual requirements, and performance specifications. Staff is recommending that the RFEI process be step one of a two stage RFP process: more specifically, Stage 1 would be the Request for Expressions of Interest (RFEI) where proponents would be required to submit their statement of intent to prepare a full detailed proposal if selected for Stage 2, a description of the project team and information on their qualifications, experience and list of previous similar projects and references. At this stage, we would also request a brief outline of their approach and description of their floating structure, ramping and anchoring system.

Following a review of all submissions and a recommendation report to Committee, a short list of 3-5 proponents will be prepared and they will be invited to submit detailed proposals, including but not limited, to preliminary drawings, detailed cost breakdown, construction specifications, schedule for construction. These proposals shall be evaluated according to the evaluation criteria listed on Schedule 2. Once a front runner or leading proponent has been identified, it may be necessary to enter into negotiations to fine tune the proposal and make minor adjustments to meet the City's budget, performance specifications, schedules and/or contractual requirements. Proceeding to this second stage of the RFP process would be dependant on funding being approved for this component or identification of an outside funding source.

Request for Permission to Commence a Request for Proposals (RFP) Process for the Desjardins Canal Floating Structure Component of the Hamilton Harbour Waterfront Trail to Link with the Existing Desjardins Trail (PWT99020)

After a final contract offer has been negotiated in principle, a recommendation report will be brought forward to City Council for approval to award a contract.

LS:bg
Attchs.

cc: Alderman F. Eisenberger, Ward 5
Alderman B. Charters, Ward 6
Alderman T. Anderson, Ward 7
Mr. A. Leitch, General Manager, Transportation, Operations and Environment
Mr. R. Roszell, Corporate Counsel
Mr. W. J. Plessl, Co-ordinator, Park Development and Maintenance

Schedule '1'

The WEST HARBOUR WATERFRONT TRAIL PROJECT ADVISORY GROUP (PAG)

LIST OF MEMBERS

Bob Charters	City of Hamilton – Alderman
John Hall	Fish & Wildlife Habitat Restoration Project
Werner Plessl	City of Hamilton
Erik Hess	City of Hamilton
Penny Ulbinas	City of Hamilton
Bob Chrystian	City of Hamilton
Glynis Logue	City of Hamilton
Teresa Labuda	Halton Region Conservation Authority
David Gale	Halton Region Conservation Authority
Marilyn Baxter	Bay Area Restoration Council
Gil Simmons	Bay Area Restoration Council/Resident
Jeff Brookfield	Hamilton Harbour Commissioners
Tony Horvat	Hamilton Region Conservation Authority
David Sherlock	Rail Link
Orest Rojik	Canadian Pacific Railway
Rick Kirluk	Department of Fisheries and Oceans
Cathy Plosz	Regional Municipality of Hamilton-Wentworth
Gillian Booth	Ecological Services Group International Inc.
Trevor Friesen	Ecological Services Group International Inc.
Adam Carr	Canadian National Railway
Jim Roche	Leander Boat Club
John Fischer	Environment Canada
Rob Dobos	Environment Canada
Louise Knox	RAP Co-ordinator, Environment Canada
Ed Debruyn	Department of Fisheries and Oceans
Suzanne Belanger-Fontaine	Ministry of Environment
Al Beaucage	Canadian Coast Guard
Pieter Kuyntjes	Ministry of Transportation
Mark Runciman	Royal Botanical Gardens
Constable ---	Marine Unit

Schedule '2'

THE WEST HARBOUR WATERFRONT TRAIL
DESJARDINS CANAL FLOATING STRUCTURE

PROPOSAL EVALUATION CRITERIA

Item	Description	Value
Engineering Expertise	Qualifications and experience of team members in this type of work	10%
Floating Structure, Ramp and Anchoring System	Details and quality of all components, assessment of maintenance implications	40%
Construction/Installation Methodology and Experience	Details of their approach; list of general contractor and all sub-contractors, and project experience	10%
Prior Project Experience	List of prior projects, addresses, value and references	10%
Cost of the Project	Detailed breakdown for each item. Assessment of unit prices, and what is included and what is excluded	25%
Project Schedule - Design - Fabrication - Construction	Time breakdown for each stage of this project and type of resources allocated for each	3%
After Installation Service	Follow up program for two year period after installation	2%
		100%

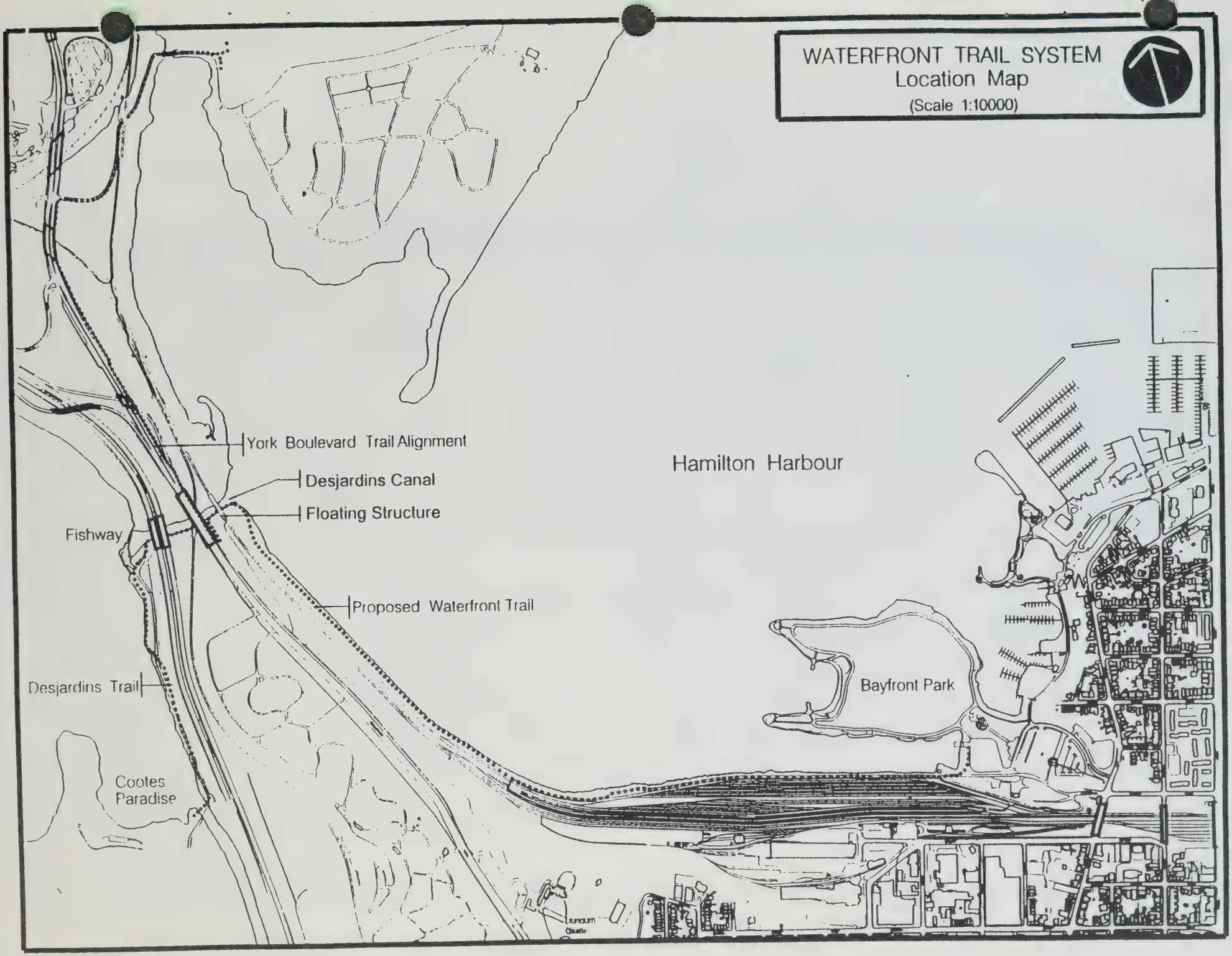
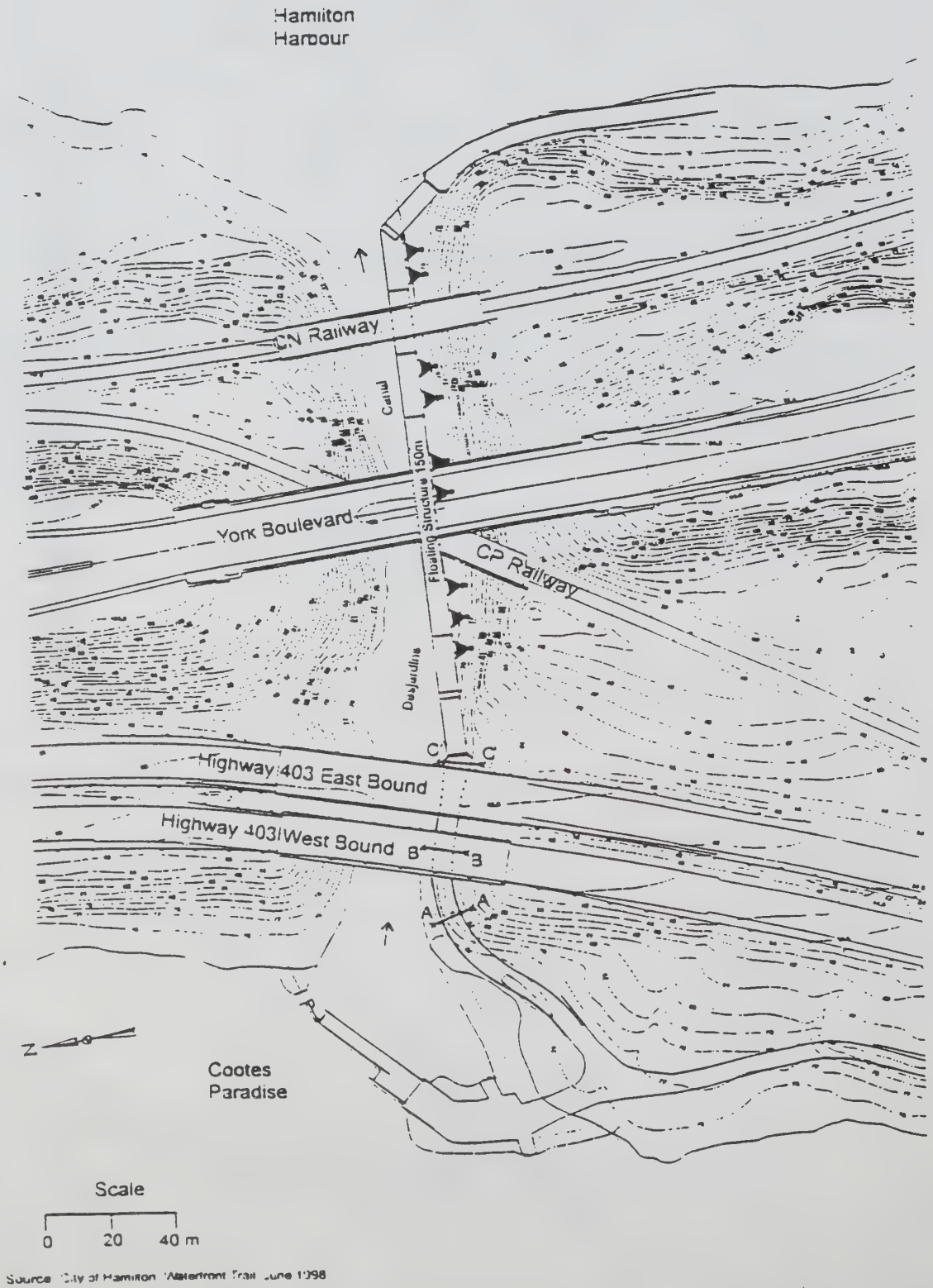
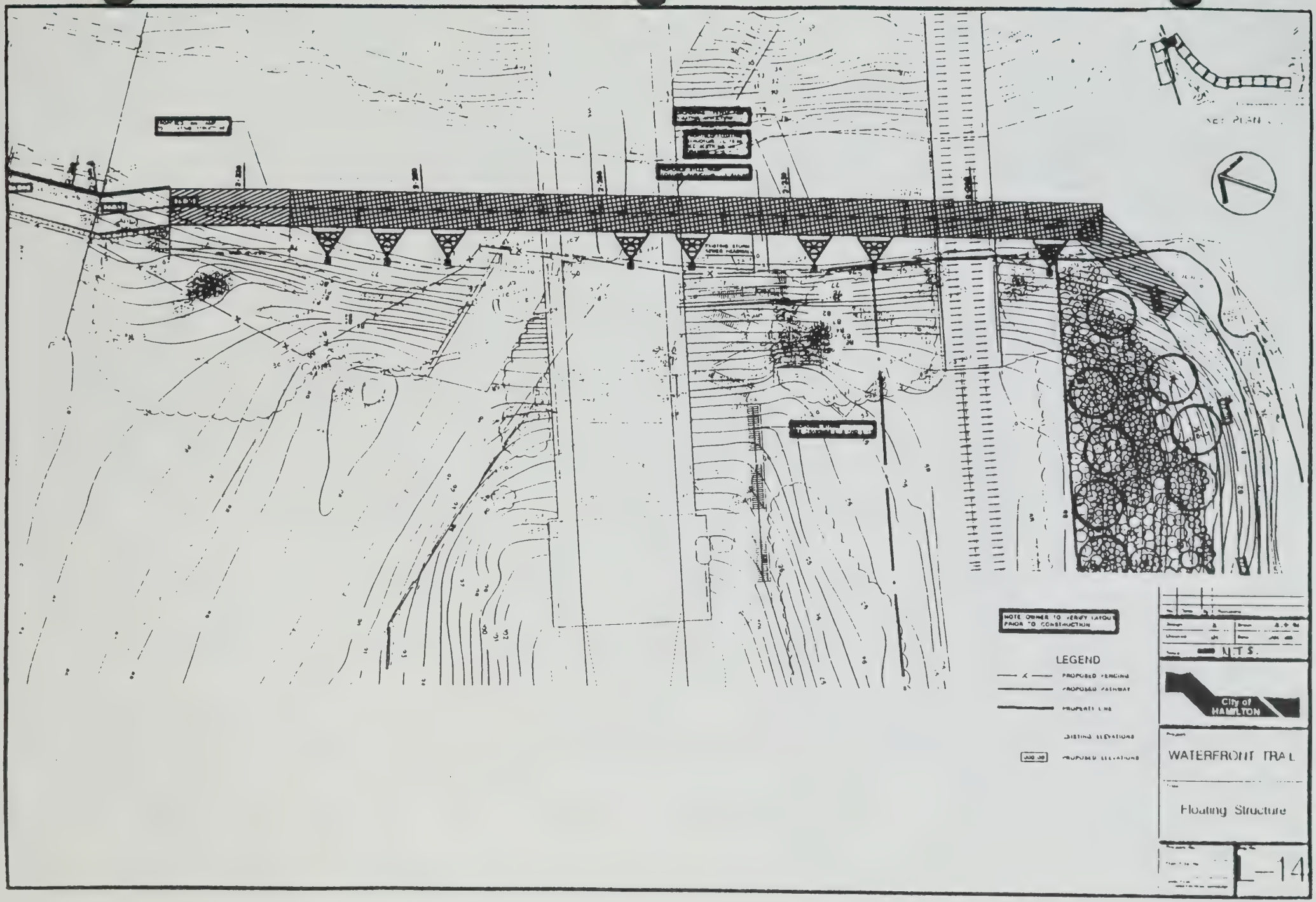

WATERFRONT TRAIL SYSTEM
Location Map
(Scale 1:10000)
York Boulevard Trail Alignment
Desjardins Canal
Floating Structure
Fishway
Proposed Waterfront Trail
Desjardins Trail
Cootes Paradise
Hamilton Harbour
Bayfront Park

Figure 3 - 2 Hamilton Harbour Waterfront Trail Desjardins Canal - Selected Alternative, Floating Structure Route




KEY PLAN
NOTE OWNER TO VERIFY LAYOUT PRIOR TO CONSTRUCTION
LEGEND
PROPOSED FENCING
PROPOSED PATHWAY
PROPERTY LINE
EXISTING ELEVATIONS
PROPOSED ELEVATIONS
N.T.S.
City of HAMILTON
WATERFRONT TRAIL
Floating Structure
L-14

PLANNING AND DEVELOPMENT COMMITTEE

BACKGROUND MATERIAL

13.

Office of the Municipal Clerk
Memorandum

TO: J. J. Schatz
Municipal Clerk
Office of the Municipal Clerk

FROM: Tina Agnello, Secretary
Planning and Development Committee

DATE: 1999 June 24

SUBJECT: **ZAC-99-07, 1221 Limeridge Road East**

The Planning and Development Committee at its meeting of June 23, 1999 referred the abovenoted report attached hereto, to the Committee of the Whole for consideration pending a public meeting by the Ward Aldermen.

cc. L. Coveyduck, General Manager, Community Planning and Development Division

TA

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1999 June 3
ZAC-99-07
Lisgar Neighbourhood

REPORT TO: Tina Agnello, Secretary
Planning and Development Committee

FROM: Lee Ann Coveyduck, M.C.I.P., R.P.P.
General Manager
Community Planning and Development Division

SUBJECT: Request for a change in zoning for lands located at 1221 Limeridge Road East

RECOMMENDATION:

A. That approval be given to **Zoning Application ZAC-99-07, 1221 Limeridge Inc. (c/o Joseph Kutlesa), owner**, for a change in zoning from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "DE-3" (Multiple Dwellings) District, modified, to permit a "Community and Residential Care Access Centre" containing residential care and short-term residential care facilities for the accommodation of a maximum of 24 and 16 residents of at least 65 years of age, respectively, and medical and associated commercial uses in a one (1) storey building, for lands located at 1221 Limeridge Road East, shown on the attached map marked as APPENDIX "A", on the following basis:

(i) That the subject lands be rezoned from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "DE-3" (Multiple Dwellings) District;

(ii) That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:

a) That notwithstanding Section 10C(1) of Zoning By-law No. 6593, only the following uses shall be permitted:

(i) a "Community and Residential Care Access Centre";

(ii) a commercial retail store with a maximum gross floor area of 207.0 m^2 shall be permitted;

(iii) a business identification sign that is wall sign of an occupancy or use, that complies with the following requirements:

1. No sign shall exceed 2.0 metres in height.

2. The total aggregate area of all signs shall not exceed 0.5 square metres for each 0.5 metres of exterior lineal face of the building.

3. Every sign shall be parallel to the wall to which it is affixed.

4. No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.

b) For the purpose of this by-law, a "Community and Residential Care Access Centre" shall mean a building in which residential care and short-term care facilities are provided in conjunction with medical offices and related services, subject to the following provisions:

(i) a Residential Care Facility for the accommodation of a maximum of 24 residents of at least 65 years of age;

(ii) a Short-Term Care Facility for the accommodation of a maximum of 16 residents of at least 65 years of age;

(iii) an accessory dining room which shall only be used in conjunction with the Residential Care and Short-Term Care Facilities; and,

(iv) offices for medical or dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore;

c) That notwithstanding Section 10C. (2) of Zoning By-law No. 6593, no building shall exceed one (1) storey in height;

d) That notwithstanding Section 10C. (3) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre", the following yards shall be provided and maintained:

(i) a minimum front yard depth of 4.5 m and an average depth of 5.2 m;

(ii) a minimum easterly side yard depth of 2.0 m and an average depth of 4.5 m;

(iii) a minimum westerly side yard depth of 3.8 m; and,

(iv) a minimum rear yard depth of 4.57 m.

e) That notwithstanding Section 10C. (5) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre" a maximum gross floor area of 2,449.90 m^2 shall be permitted, comprised of 1673.12 m^2 maximum gross floor area for the Residential Care and Short Term Care Facilities and 776.78 m^2 maximum gross floor area for the medical offices and commercial retail stores, including hallways and common amenity areas;

f) For the "Community and Residential Care Access Centre", an unlighted ground sign having an area of not more that 4.2 square metres and located not less that 2.0 m from any lot line shall be permitted;

g) That notwithstanding Section 2.(2)A.(xiiaa) of Zoning By-law No. 6593, a Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" comprised of residential and commercial uses;

h) That notwithstanding Section 2.(2)A.(xiiaaa), a Short-Term Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" jointly comprised of residential and commercial uses;

i) That Section 10C.(7) of Zoning By-law No. 6593 shall not apply to the subject lands;

j) That Section 18A.(1)(d) of Zoning By-law No. 6593 shall not apply to the subject lands;

k) That Section 18A. (14g) of Zoning By-law No. 6593 shall not apply to the existing parking area;

(v) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Section S - , and that the subject lands on Zoning District map E-59A be notated as S - ;

(vi) That the City/Regional Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A for presentation to City Council;

(vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

(viii) That upon finalization of the Zoning By-law, the subject lands be redesignated from "Commercial" to "Commercial and Residential" on the approved Lisgar Neighbourhood Plan.

EXPLANATORY NOTE:

The purpose of the proposed by-law is to provide for changes in zoning from "G" (Neighbourhood Shopping Centre, etc.) District modified to "DE-3" (Multiple Dwellings) District, modified, for lands located at 1221 Limeridge Road East, shown on the attached map marked as APPENDIX "A".

The effect of the By-law is to permit the development of the subject lands for a "Community and Residential Care Access Centre" which includes a residential and short-term care facility for 24 and 16 residents of at least 65 years of age, respectively and medical and associated commercial uses in a one story building..

In addition, the By-law provides for the following special variances:

Use

- To restrict the height of the "Community and Residential Care Access Centre" to one (1) storey in height whereas the provisions of the Zoning By-law permit a maximum height of 3 storeys;

- To permit a maximum gross floor area of 2,449.90 m^2, comprised of 1,673.12 m^2 maximum gross floor area for the Residential Care and Short Term Care Facilities and 776.78 m^2 maximum gross floor area for the medical offices and commercial retail stores (including hallways and common amenity areas) whereas the provisions of the Zoning By-law utilizes a floor area ratio factor of 0.9 (6,293 m^2);

- For the purposes of the by-law, a "Community and Residential Care Access Centre" is defined as being a building containing both residential and commercial uses, subject to the following restrictions:

    (i) the commercial uses will be restricted to a commercial retail store with a maximum gross floor area of 207.0 m^2, offices for medical or dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore;

    (ii) the Residential Care Facility will be restricted to a maximum size of 24 residents who are at least 65 years of age. The Short-Term Care component will be restricted in size to a maximum capacity of 16 residents who are at least 65 years of age; and,

(iii) a dining room, used in conjunction with the residential care and short-term care facilities shall be permitted.

Yards

- To permit a minimum front yard depth of 4.5 m and an average depth of 5.2 m, whereas the provisions of the Zoning By-law require a minimum front yard setback of 6.0 m;

- To permit a minimum easterly side yard of 2.0 m and an average depth of 4.5 m whereas the provisions of the Zoning By-law require a minimum side yard of 4.62 m;

- To permit a minimum westerly side yard of 3.8 m whereas the provisions of the Zoning By-law require a minimum side yard of 4.62 m;

- To permit a minimum rear yard of 4.57 m whereas the provisions of the Zoning By-law require a minimum rear yard of 5.9 m;

Signs

- To permit business identification signage for the "Community and Residential Care Access Centre" subject to the sign being an unlighted ground sign with a maximum area of 4.2 square metres and requires that the sign be setback a minimum of 2.0 m from any lot line and commercial business identification wall signs in accordance with the existing "G" District zoning.

Parking and Loading Space

- To eliminate the required loading space for the medical offices whereas one (1) loading space at 9.0 m x 3.7 m x 4.3 m is required;

- To permit the existing parking area to be located within the required front yard whereas the By-law does not permit parking in the required front yard of a residential district;

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As required by the Planning Act, Council shall hold at least one public meeting to consider an application for a Zoning By-law Amendment.

BACKGROUND:

Proposal

- The applicant has submitted an application for a change in zoning from "G" (Neighbourhood Shopping Centre, etc.) District to "DE-3" (Multiple Dwellings) District, modified, to permit a "Community and Residential Care Access Centre" containing residential care and short-term care facilities for the accommodation of a maximum of 24 and 16 residents of at least 65 years of age, respectively, and medical and associated commercial uses in a one storey building, for lands located at 1221 Limeridge Road East, shown on the attached map marked as APPENDIX "A". The existing building is currently a one (1) storey building used for commercial purposes; the parking area is located along Limeridge Road. It is the applicant's intention to renovate the existing building and add a 744.0 m^2 addition to accommodate the new uses (See Appendix "B"). The parking area will remain in front of the existing building and a passenger vehicle drop off lane will be created along the rear of the existing building along Locheed Drive.

APPLICANT:

1221 Limeridge Inc. (c/o Joseph Kutlesa).

LOT SIZE AND AREA:

- 81.53 m of frontage along Limeridge Road East;
- a lot depth 61.09 m; and
- a total lot area of 5568.3 m^2

LAND USE AND ZONING:

	Existing Land Use	Existing Zoning
Subject Lands	Commercial	"G" (Neighbourhood Shopping Centre, etc.) District modified
Surrounding Land Use		
To the north	Single Family	"C" (Urban Protected Residential) District modified and "D" (Urban

to the south	Townhouses	"RT-10" (Townhouse) District
to the west	Single Family Dwellings	"C" (Urban Protected Residential) District
to the east	Single Family	"C" (Urban Protected Residential, etc.) district and "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, modified

OFFICIAL PLAN:

The subject lands are designated "COMMERCIAL" on Schedule "A" of the Official Plan. The proposal is for a mixed use building consisting of a residential care and short-term care facility, medical offices and related commercial uses. The proposed "Community and Residential Care Access Centre" is commercial in nature with a residential component. However, residential uses are permitted in a "Commercial" designations. The proposal complies with the Official Plan.

NEIGHBOURHOOD PLAN:

The subject lands are designated "Commercial" in the approved Lisgar Neighbourhood Plan. If approved, a redesignation from "Commercial" to "Commercial and Residential" is required.

COMMENTS RECEIVED:

- The following Departments and Agencies have no comment or objections:

  - Hamilton Region Conservation Authority;
  - Traffic Division, Department of Public Works and Traffic; and,
  - Union Gas.

- The Community Planning and Development Division - Building Department provided the following comments:

  "1. The front yard has been previously established as Limeridge Road East and the comments are based on this.

  2. The yard requirements for the proposed building are based upon a calculation. Please note that the front yard of this lot abuts a "C" District and unless the front yard calculation exceeds 6.0m, the minimum required front yard shall be 6.0m. The proposed 4.5m front yard does not conform. Insufficient information submitted to determine compliance with all other yards.

3. A residential care facility and a short term care facility, as defined, are required to be in fully detached buildings and the maximum number of residents permitted in each is six (6).

4. No floor plans submitted to show the uses of individual rooms.

5. The proposed medical offices and other commercial uses including the existing convenience store are not permitted in the proposed "DE-3" District. Please indicate the proposed use of the gallery.

6. The minimum required landscaped area is 25% of the area of the lot.

7. One (1) 9.0m x 3.7m x 4.3m loading space is required. No loading space shown.

8. Every parking space and loading space shall be accessible at all times and the required loading space shall be unobstructed and freely and readily accessible from within the lot without moving a vehicle on the lot.

9. No part of the parking area shall be located in the front yard. The parking area abutting Limeridge Road is located in the required front yard and is Nato permitted.

10. Please indicate the proposed use of the vehicle turn-around located off of Locheed Drive."

Further to the above-mentioned comments, the Community Planning and Development Division - Building Department Building has advised:-

"1. Based upon the dimensions submitted and a building height of 3.75, the following minimum setbacks are required:

Front Yard (Limeridge Road)	- 6.0 m
Side Yard (Street)	- 4.62 m
Side Yard (Interior)	- 4.62 m
Rear Yard	- 5.9 m

2. The designer shall ensure that the fire access route conforms to Secton 3.2.5 of the Ontario Building Code.

3. Signs are not permittted."

- The Community Planning and Development Division (Development Engineering Section) have advised that:

"There are public watermains and separate storm and sanitary sewers available to service the subject lands.

1. According to our records the road allowance widenings on Lennox Street, Limeridge Road East and the daylight triangle were previously acquired through the registration of Plans 62M-89 and 62M-194. Locheed Drive is also established at 20.12m. Therefore we do not anticipate any further road allowance widenings at this time.

2. We have the following comments on the preliminary site plan submitted:

   i) We require 5m by 5m visibility triangles between the accesses and the road allowance limits in which the maximum height of any object or mature vegetation is not to exceed 0.60m above the corresponding perpendicular centreline elevation of the adjacent streets. The site plan should be revised accordingly.

   ii) Comments from the Gas Utility with respect to landscaping over their easement should be considered.

   iii) Any landscaping within the adjacent road allowances, other than sod or annual flowers, requires an Encroachment Agreement with the City of Hamilton. The height of the vegetation proposed must also conform to the same criteria used for visibility triangles.

   iv) The proposed directional signs for the access on Locheed Drive must be covered under the Approach Approvals from the Traffic Division and should conform to the standard signing used in the Ontario Manual of Uniform Traffic Control Devices.

   v) Any other works which may occur within the adjacent road allowances must conform to the City of Hamilton Streets By-law.

   vi) More details comments on grading, access, landscaping, etc. will be provided at such time as this development is reviewed through the site plan approval process.

COMMENTS:

1. The proposal does not conflict with the intent of the Official Plan.

2. The approved Lisgar Neighbourhood Plan designates the subject lands as "Commercial". If approved, a neighbourhood plan amendment is

required to redesignate the lands from "Commercial" to "Commercial and Residential", upon finalization of the implementing Zoning By-law.

3. The proposed "Community and Residential Care Access Centre" has merit and can be supported for the following reasons:

   (i) the "Community and Residential Care Access Centre" will provide residential care and short-term care facilities and medical services, including patient care, assessment and uptake, to the communities of the Hamilton East;

   (ii) it is situated on a major arterial road; and,

   (ii) it would be compatible with and complementary to the abutting and planned residential and commercial uses in the surrounding area.

4. Based upon the proposal and the preliminary site plan submitted for a "Community and Residential Care Access Centre", the By-law will:

Use

- Restrict the height of the "Community and Residential Care Access Centre" to one (1) storey in height, as proposed, whereas the provisions of the Zoning By-law permit a maximum height of 3 storeys.

- Permit a maximum gross floor area of 2,449.90 m^2, of which comprised of 1673.12 m^2 maximum gross floor area for the Residential Care and Short Term Care Facilities and 776.78 m^2 maximum gross floor area for the medical offices and commercial retail stores, including hallways and common amenity areas whereas the provisions of the Zoning By-law utilizes a floor area ratio factor of 0.9 (6,293 m^2).

- For the purposes of the by-law, a "Community and Residential Care Access Centre" is defined as a building containing both residential and commercial uses, subject to the following restrictions:

   (i) The Residential Care Facility will be restricted to a maximum capacity of 24 residents who are at least 65 years of age. The Short-term Residential Care component will be restricted in size to a maximum capacity of 16 residents who are at least 65 years of age;

   (ii) a dining room, used in conjunction with the residential and short term care facilities shall be permitted; and,

   (iii) The commercial uses will be restricted to a commercial retail store having a maximum gross floor area of 207.0 m^2, offices for medical or

dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore;

Yards

- Permit a minimum front yard setback of 4.5 m and an average depth of 5.2 m, as proposed, whereas the provisions of the Zoning By-law require a minimum front yard setback of 6.0 m. The proposed front yard setback varies from 6.0 m to 4.5 m minimum for an average setback of 5.2 m. The residential district ("C" District), immediately to the east, requires a 6.0 m minimum. The proposed gradation for the front yard is in keeping with the established yards.

- Permit a minimum easterly side yard of 2.0 m and an average depth of 4.5 m whereas the provisions of the Zoning By-law require a minimum side yard of 4.62 m. The proposed side yard setback will actually vary from 6.55 m maximum to 2.0 m minimum for an average setback of 4.5 m. The residential district ("C" – District), immediately to the east, requires a 1.2 m minimum. The proposed gradation for the side yard is in keeping with the established side yards immediately to the east.

- Permit a minimum westerly side yard of 3.8 m whereas the provisions of the Zoning By-law require a minimum side yard of 4.62 m. This variance is necessary to recognize the westerly side yard setback of the existing building.

- Permit a minimum rear yard of 4.57 m whereas the provisions of the Zoning By-law require a minimum rear yard of 5.9 m. The variance is necessary to recognize the northerly rear yard setback of the existing building.

Signs

- Permit business identification signage for the "Community and Residential Care Access Centre" subject to the sign being an unlighted ground sign with a maximum area of 4.2 square metres and requires that the sign be setback a minimum of 2.0 m from any lot line and commercial business identification wall signs in accordance with the existing "G" District zoning.

Parking and Loading Space

- Eliminate the required loading space for the medical offices whereas one (1) loading space at 9.0 m x 3.7 m x 4.3 m is required. Although a loading space has not been officially designated, loading and unloading will occur in front of the building within the 6.0 m manoeuvring aisle of the existing parking area. The Department of Public Works and Traffic support the variance and concur

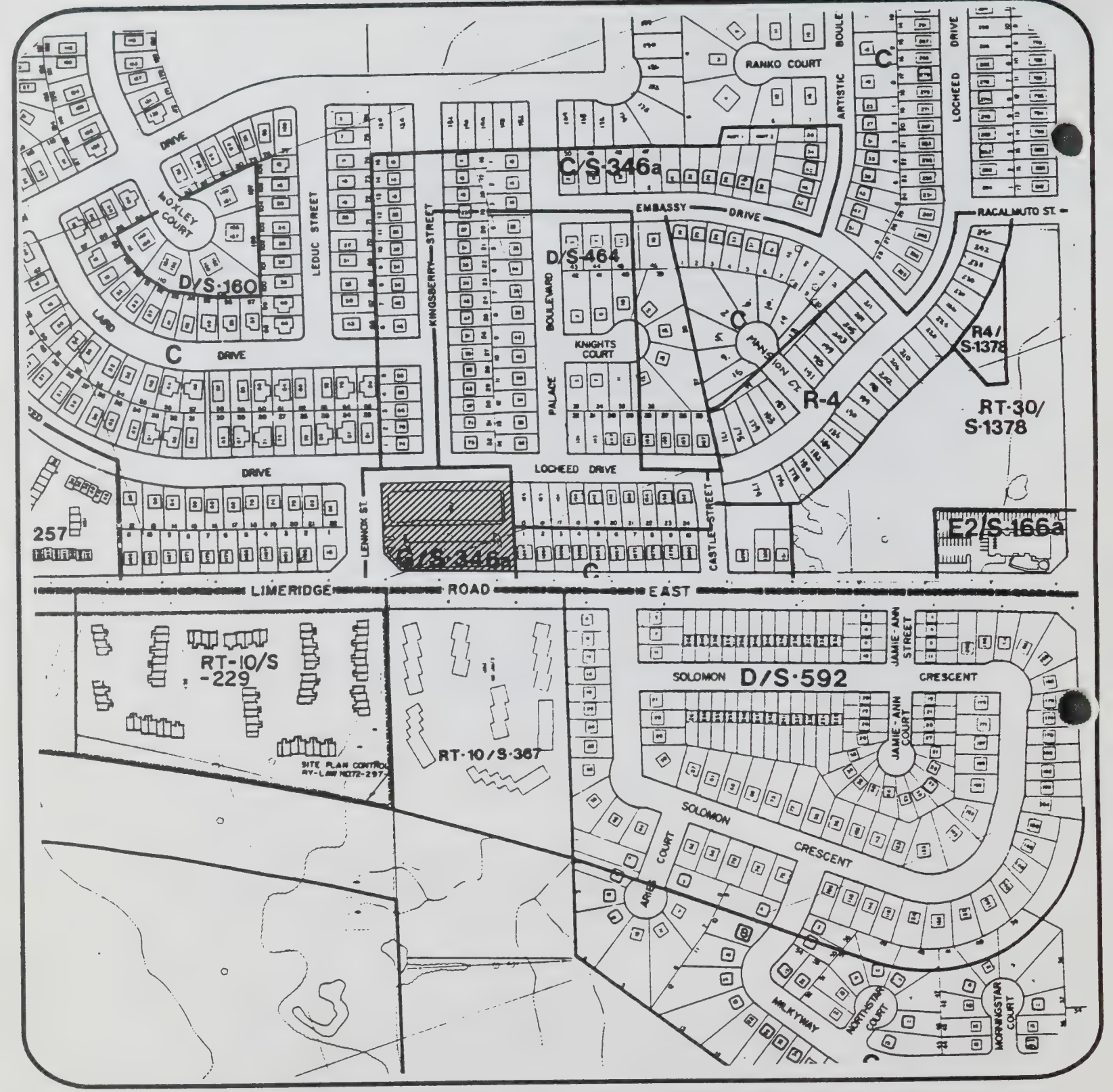
The Department of Public Works and Traffic support the variance and concur with loading and unloading activity occurring within the existing parking area, since it will not affect the operation of the parking area.

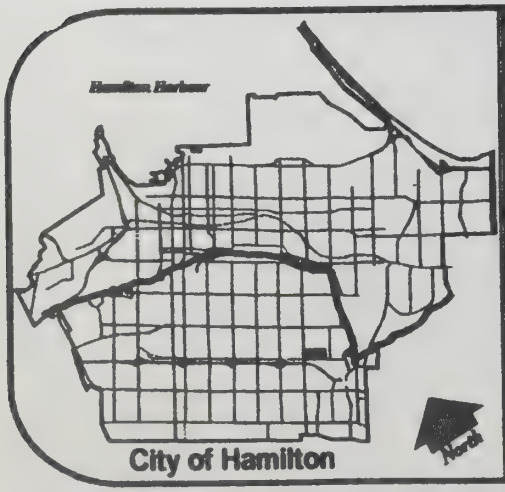
- Permit the existing parking area to be located within the required front yard whereas the By-law does not permit parking in the required front yard of a residential district. This variance is necessary to recognize the existing parking lot that was developed under the current "G" District regulations.

5. The "DE-3" District is subject to Site Plan Control. Accordingly, matters such as grading, drainage, landscaping, fencing, building design, orientation and driveway access, etc. will be further reviewed at the site plan control stage of development.

CONCLUSION:

Based on the foregoing, the application for a "Community and Residential Access Care Facility" and related commercial uses can be supported.





PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

Legend

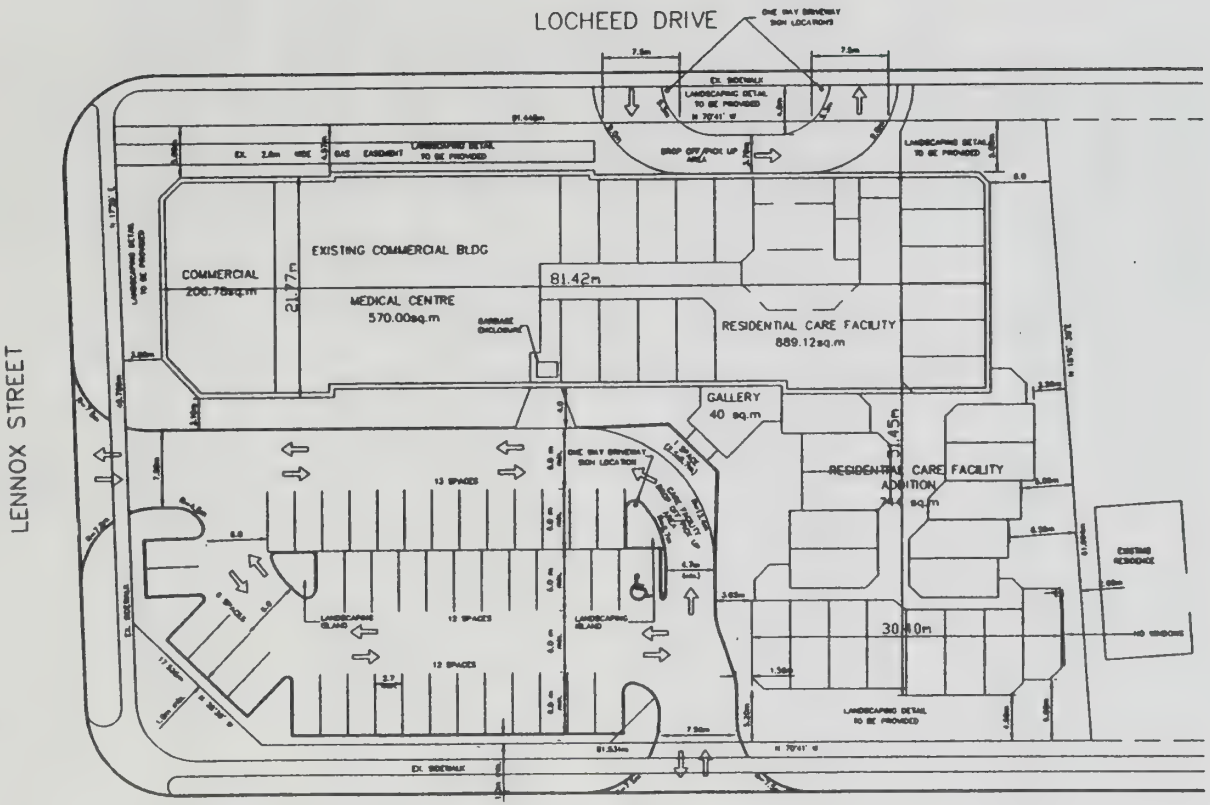
Site of Application

Change in zoning :-

From "G" (Neighbourhood Shopping Centre, etc.) District to "DE-3" (Multiple Dwellings) District, modifed

Reference file:	ZAC-99-07
Scale	Not to Scale
Date	March, 1999
Technician:	FAB
	APPENDIX A

EASTMOUNT COMMUNITY HEALTH CENTRE





KEY MAP

DEVELOPMENT DETAILS:

	REQUIRED	PROPOSED
TOTAL LOT AREA	0.20 sq.m	5000 sq.m
MIN. FRONT YARD m	3.00 m	4.50 m
MIN. FRONT YARD S.	4.50m	4.50 m
MIN. SIDE YARD E.	4.50 m	2.00 m
MIN. SIDE YARD W.	3.75 m	3.00 m
LANDSCAPED AREA	1,284.71 sq.m	1,494.87 sq.m
MAX. GROSS FLOOR AREA	MAX. 50% ALLOWED	44.8%
PARKING		
COMMERCIAL	8	0
MEDICAL	20	20
CARE FACILITY	14	14
TOTAL	44	44

NOTE
AVERAGE LANDSCAPING STRIP AS PER AMENDED ZONING BY-LAW NO.6593.

NO.	DATE	BY	REVISIONS
DESIGN	BMP	CHK'D	BM
DRAWN	BMP	CHK'D	BM

DATE: MAR. 199
SCALE: 1:200

APPROVALS

APPROVED DATE

PLANNING & ENGINEERING INITIATIVES LTD.

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

EASTMOUNT COMMUNITY HEALTH CENTRE
1221 LIMERIDGE ROAD EAST

PRELIMINARY SITE PLAN

PROJECT: HP599 | 1 - 1

APPENDIX B

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 18 June, 1999
(PLC-99-06)
Jerome Neighbourhood

REPORT TO: Tina Agnello, Secretary
Planning and Development Committee

FROM: Lee Ann Coveyduck
General Manager, Community Planning and Development Division

SUBJECT: Application to Remove Part-Lot Control – Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan 62M-872 "Effort Gardens, Phase 1" (PDC 99034)

RECOMMENDATION:

A. That approval be given to **Part Lot Control Application 99-06, Hampshire Properties Inc., owner**, to remove part-lot control for Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, for lands fronting on Theodore Drive, Bridgette Drive, and Benjamin Drive, for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix "A";

B. That the attached by-law, marked as Appendix "B", to remove part lot control from Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, be enacted by Council;

C. That the exempting by-law be restricted to a 1 year effective time period to expire on July 1, 2000;

D. That following the enactment of this by-law, the Director, Land Development, Community Planning and Development Division (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.

Guy Papadia
for L.A.C.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As required by the Planning Act, Council may pass a by-law for exemption from part-lot control for the purposes of creating maintenance easements for zero-lot line single family dwellings within a registered plan of subdivision.

BACKGROUND:

Proposal

The applicant, Hampshire Properties Inc., is proposing to create maintenance easements for Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, located in "Effort Gardens, Phase 1", Registered Plan 62M-872. The maintenance easements are required for the zero-lot line single family dwellings in accordance with the provisions of the "R-4" District and the City of Hamilton subdivision agreement.

Location

The subject lands are located north of Stone Church Road East, east of Upper James Street and south of Chipman Avenue and front onto Theodore Drive, Bridgette Drive and Benjamin Drive, in the Jerome Neighbourhood (see Appendix "A").

CIRCULATION COMMENTS:

- The Traffic Division, Department of Public Works and Traffic advised that they have no comment with respect to the application.

- The Regional Environment Division advised of the following:

  "The purpose of this application is to establish maintenance easements for the subject lots, which is a requirement of the City's Subdivision Agreement for "Effort Gardens, Phase 1."

COMMENTS:

1. Removal of "part-lot" control is a mechanism provided for under the Planning Act to permit minor division of land. This provision eliminates the need to obtain the approval by the Committee of Adjustment for each individual parcel of land, thereby reducing the overall administrative process required to obtain the same objective. The mechanism is exercised by municipalities by registering a by-law in the Land Titles offices. Part lot control can only be used for lands within a registered plan of subdivision. In addition, Section 50(7.3) of the Planning Act, allows for an expiration date to be described in the part-lot control by-law, thereby eliminating the need to repeal said by-law. Under Section 50(7.4), Council may grant an extension before the expiration of the By-law if needed without the approval of the Minister. In this regard, the exempting by-law should be restricted to a 1 year effective time period to expire on July 1, 2000.

2. The attached by-law to remove "part-lot" control has been prepared in a form satisfactory to the City Solicitor.

CONCLUSION:

Based on the foregoing, the request to remove part-lot control can be supported.

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 99 —

To Remove
Land within the "Effort Gardens, Phase 1" Subdivision, Plan 62M-872
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** – Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** – A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** – An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** – A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** – The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** – The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

   Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan Number 62M-872, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by the Director, Development Department, Community Planning and Development Division.

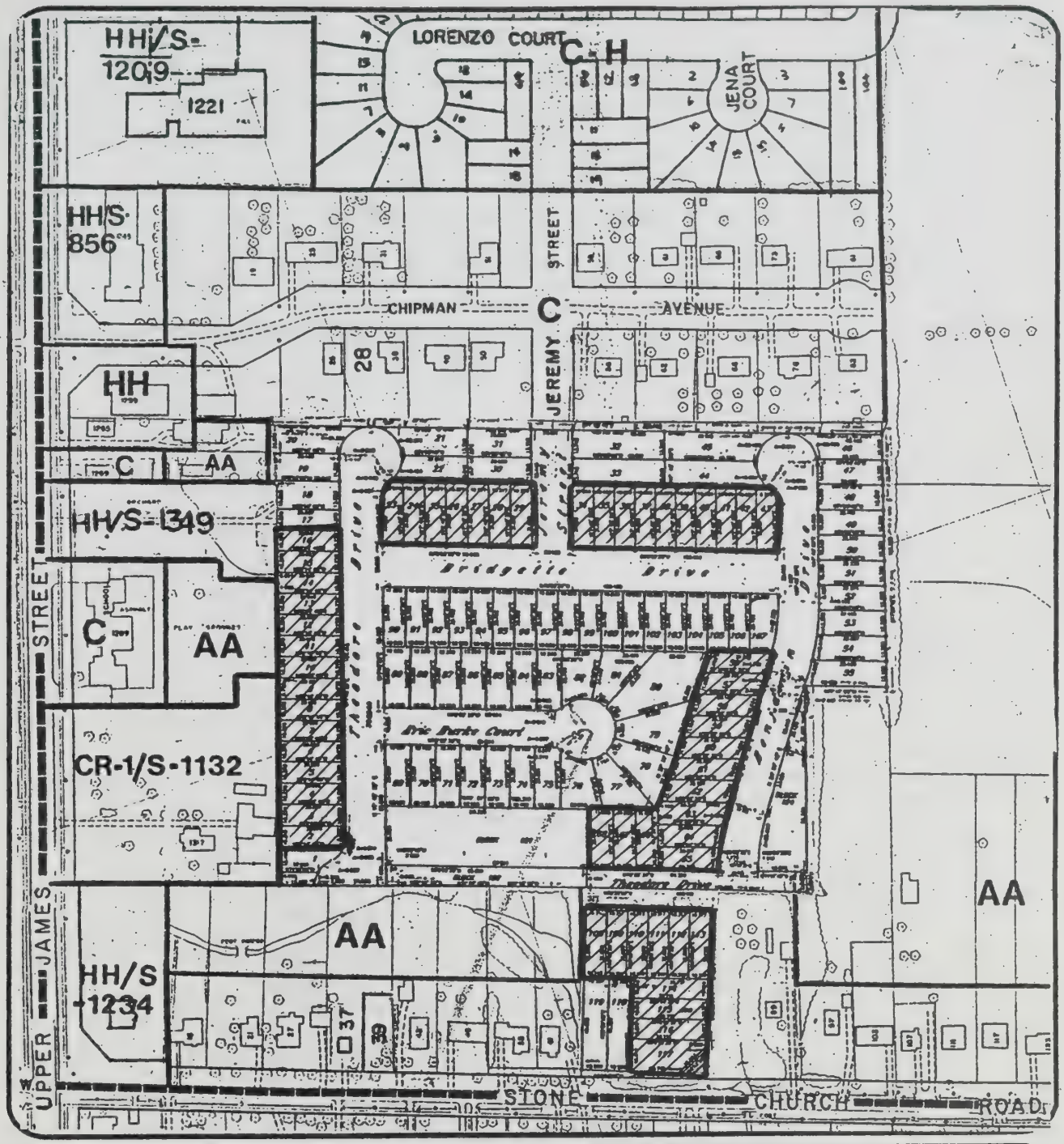
   (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

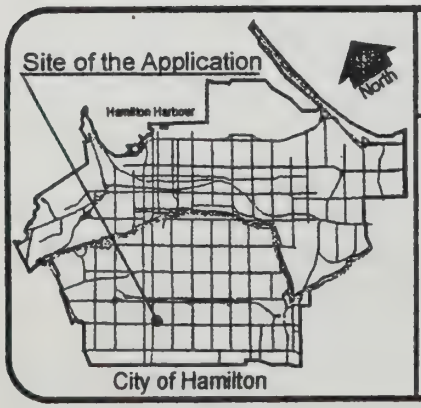
   (c) This By-law shall expire on July 1, 2000.

PASSED this day of A.D. 1999.

Municipal Clerk Mayor

Hampshire Poroperties Inc., owner
(1999) R.P.D.C. ., June 26
PLC-99-06





COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

Subject Lands

Reference file:	**PLC-99-06**
Scale	**Not to Scale**
Date	**June,1999**
Technician:	**Jsims**
	APPENDIX 'A'

15(a)

Bill No. C-37

The Corporation of the City of Hamilton

BY-LAW NO. 99 —

To Remove
Land within the "Effort Gardens, Phase 1" Subdivision, Plan 62M-872
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

(7) **Designation of lands not subject to part lot control. –** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law. –** A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval. –** An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law. –** A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period. –** The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal. –** The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

   Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan Number 62M-872, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by the Director, Development Department, Community Planning and Development Division.

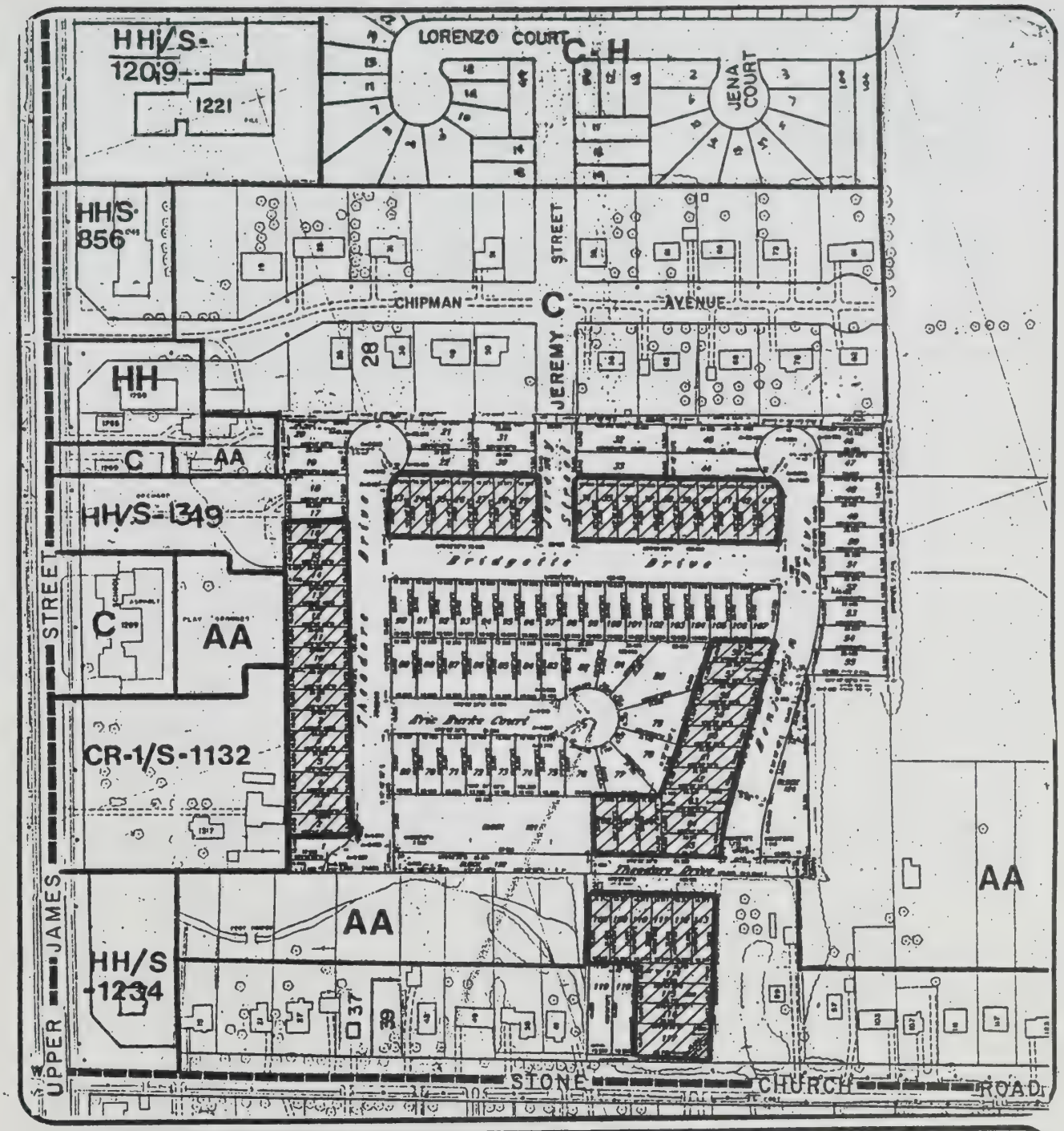
   (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

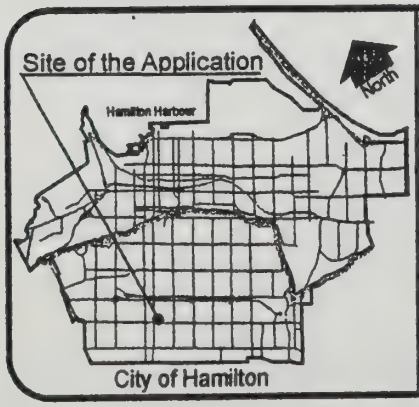
   (c) This By-law shall expire on July 1, 2000.

PASSED this day of A.D. 1999.

Municipal Clerk Mayor

Hampshire Poroperties Inc., owner
(1999) R.P.D.C. ., June 26
PLC-99-06





COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

Subject Lands

Reference file:	PLC-99-06
Scale	Not to Scale
Date	June,1999
Technician:	Jsims

APPENDIX 'A'

Bill No. C- 38

15(b)

The Corporation of the City of Hamilton

BY-LAW NO. 99-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE SOUTH SIDE OF LOCONDER DRIVE BETWEEN UPPER GAGE AVENUE AND QUEEN VICTORIA DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "R-4" – 'H' (Small Lot Single Family Dwelling – Holding) District to "R-4" (Small Lot Single Family Dwelling) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "R-4" (Small Lot Single Family Dwelling) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

(a) notwithstanding Section 9A.(2)(b) of Zoning By-law No. 6593, a single family dwelling shall provide and maintain the following setbacks:

(i) 4.4 metres from the northerly lot line;
(ii) 1.2 metres from the southerly lot line;
(iii) 6.0 metres from the westerly lot line;
(iv) 15.7 metres from the easterly lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1428.

5. Sheet No. E-49B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1428.

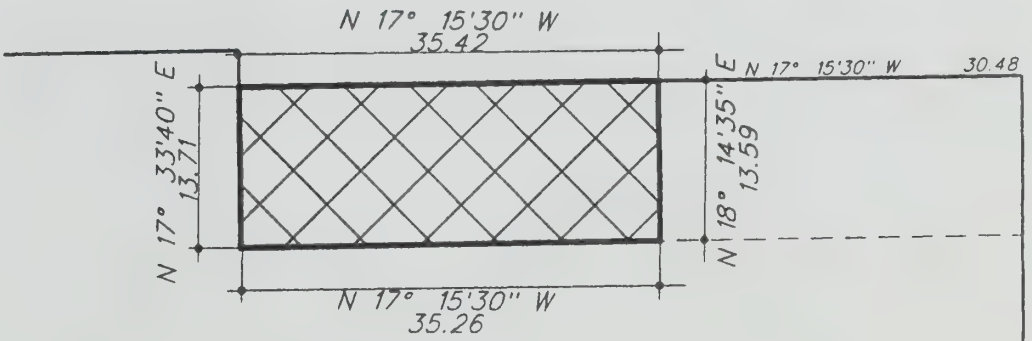
6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 6th day of July A.D. 1999

MUNICIPAL CLERK MAYOR

(1999) 13 R.P.D.C. 7, June 29
Hamilton Habitat for Humanity, Owner
ZAC-99-22

LOCONDER DRIVE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-.....
Passed the ..... day of ..... , 1999.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99-____

to Amend By-Law No. 6593

Community Planning and Development Division

Legend

Change in zoning from:

"R-4" - 'H' (Small Lot Single Family Dwelling - Holding) District to "R-4" (Small Lot Single Family Dwelling) District, modified

North	Scale	Reference File No.
	NOT TO SCALE	ZA-99-22
	Date	Drawn By
	June, 1999	B. B.

FINANCE AND ADMINISTRATION COMMITTEE

BACKGROUND MATERIAL

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 9
99C-58 V. DiPietro

REPORT TO: Mr. J. J. Schatz, Secretary
Committee of the Whole

FROM: James P. Bruzzese
General Manager, Corporate Services

SUBJECT: Declaration of Surplus Property – 11/19 Rebecca Street, Hamilton (CS99008)

RECOMMENDATION:

(a) That the property known as 11-19 Rebecca Street, Hamilton be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

(b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

James P. Bruzzese

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

By-law 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 to be declared surplus prior to sale.

Effective January 1, 1995 the Municipal Act was amended by the Planning and Municipal Statute Law Amendment Act requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On February 14, 1995 City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Real Property Sales Procedural By-law No. 95-049. Section 5(a) of this by-law declares that the "Real Property of the City shall not be sold unless it is surplus to the requirements of the City".

The subject property is a four storey 38,400 square foot commercial/office building on a 14,370 square foot "I – Central Business" zoned lot.

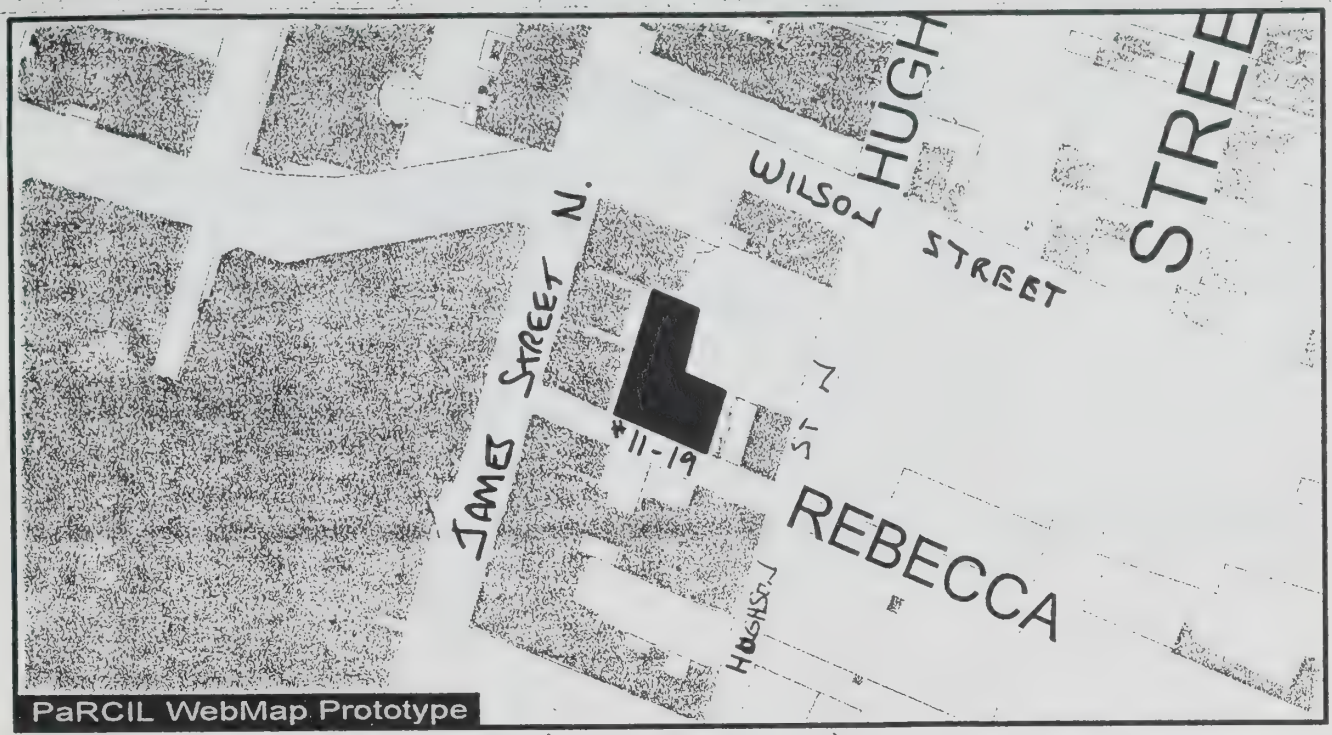
The City of Hamilton acquired this property through the Property Tax Arrears Sale Procedure. An amount in excess of $527,000 was owed to the City of Hamilton when the City took title to the lands under Notice of Vesting VM245058 dated May 14, 1999.

This property was circulated to all City and Regional departments and there has been no declared municipal interest.

Real Estate, Legal Services Section has received a number of inquiries from agents and developers regarding the purchase of this property. Therefore, we recommend that the subject now be put forward as a surplus property.

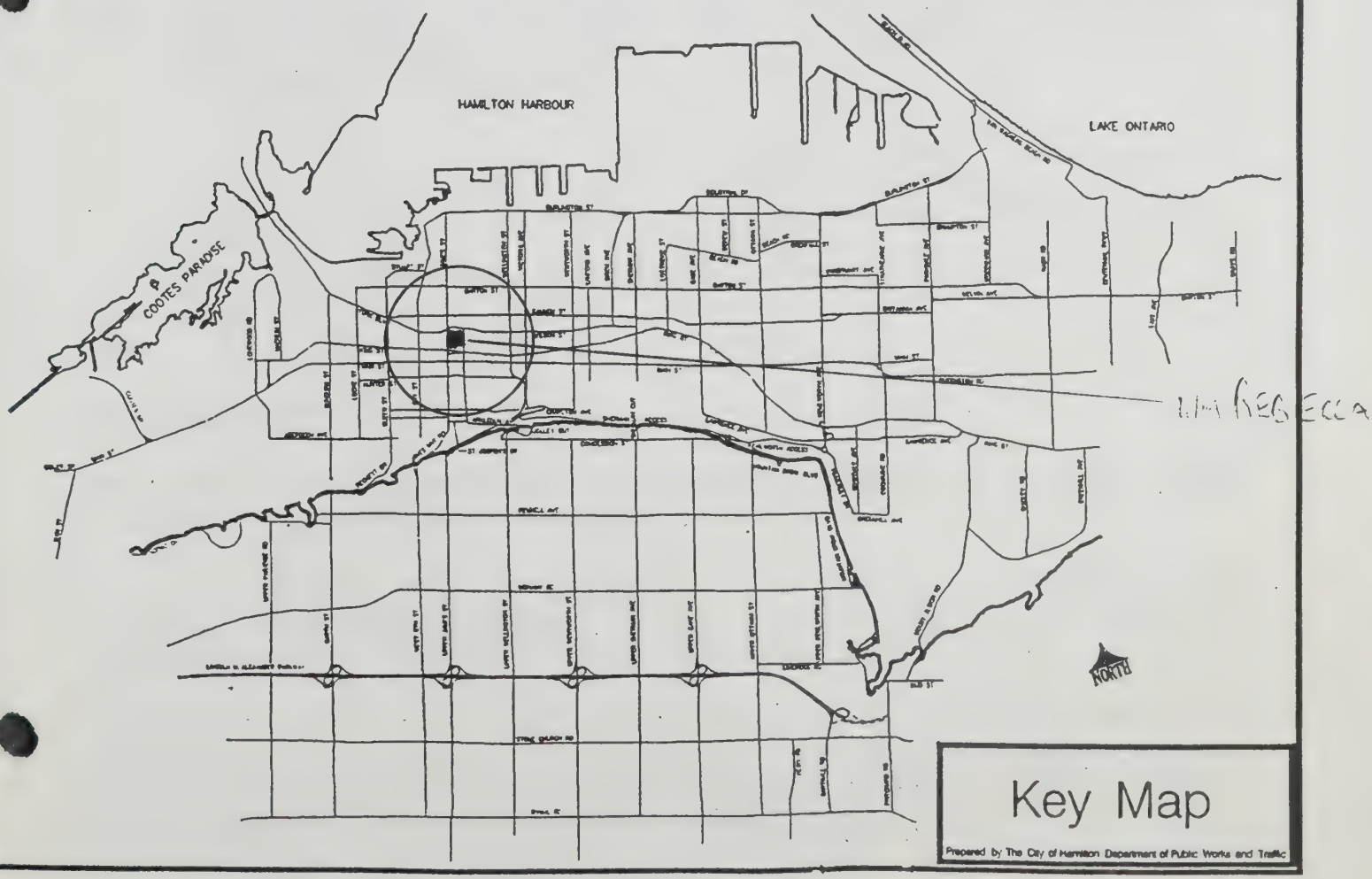
VDP/nw

c.c. Alderman A. Horwath, Alderman, Ward 2
Alderman R. Corsini, Alderman, Ward 2
R. C. Roszell, Corporate Counsel, Legal Services Section
Attention: H. Vastis
K. M. Lau, Manager of Surveys, Roads Division



Location Plan

Prepared by The City of Hamilton Department of Public Works and Traffic



Key Map

Prepared by The City of Hamilton Department of Public Works and Traffic

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 16
99C-67 R. Hayes

REPORT TO: Mr. J. J. Schatz, Secretary
Committee of the Whole

FROM: James P. Bruzzese
General Manager, Corporate Services

SUBJECT: Declaration of Surplus Property at 172 Catharine Street North (Assessment Roll Number 02 01560 2770) (CS99010)

RECOMMENDATION:

(a) That the property at the rear of 172 Catharine Street North with a width of 4.42 metres (14.5 feet) more or less, by a depth of 25.6 metres (84 feet) more or less, also known as 172 Catharine Street North, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

(b) That Real Estate, Legal Services Section, be authorized and directed to negotiate the sale of this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

James P. Bruzzese
General Manager, Corporate Services

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

By-law No. 95-049 requires all City owned lands not exempted by Ontario Regulation 815/94 to be declared surplus prior to sale.

Effective January 1, 1995, the *Municipal Act* was amended by the *Planning and Municipal Statute Law Amendment Act* requiring municipalities to enact a by-law to establish procedures for the sale of real property owned by a municipality.

On February 14, 1995, City Council adopted Item 8 of the 5th Report of the Finance and Administration Committee and enacted the Real Property Sales Procedural By-law No. 95-049. Section 5(a) of this By-law declares that the "Real Property of the City shall not be sold unless it is surplus to the requirements of the City".

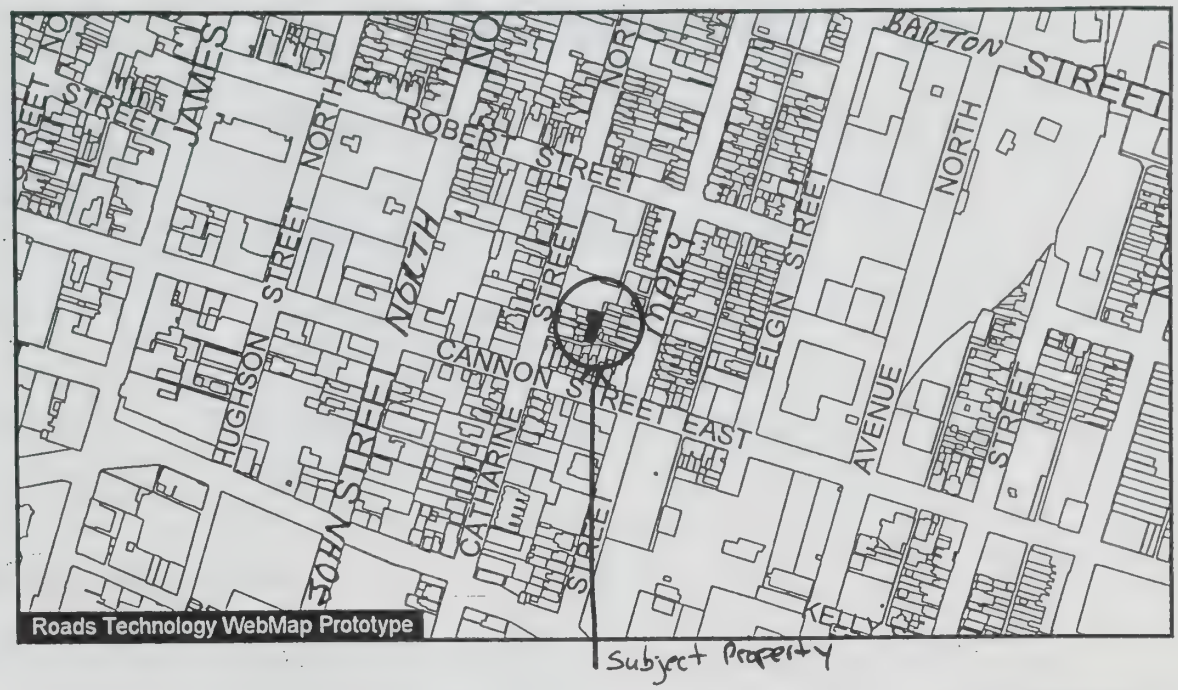
The subject property is located at the rear of houses from 164 to 172 Catharine Street North and from 167 to 171 Mary Street North. It is zoned "D" Residential (1 and 2 family), being irregular in shape and with a total area of approximately 2,091 square feet, having dimensions of 14.5 feet by 84 feet. The City acquired this land in 1993 through the Tax Sale process.

The sale of the subject land will eliminate the financial burden of the Public Works & Traffic Department, Parks Division, for the costs of maintaining the vacant land. The sale will also provide tax revenues to the City from the prospective purchaser and eliminate the possibility that an abutting property owner may acquire the property through adverse possession.

The subject land was circulated to all departments and no municipal interest was shown.

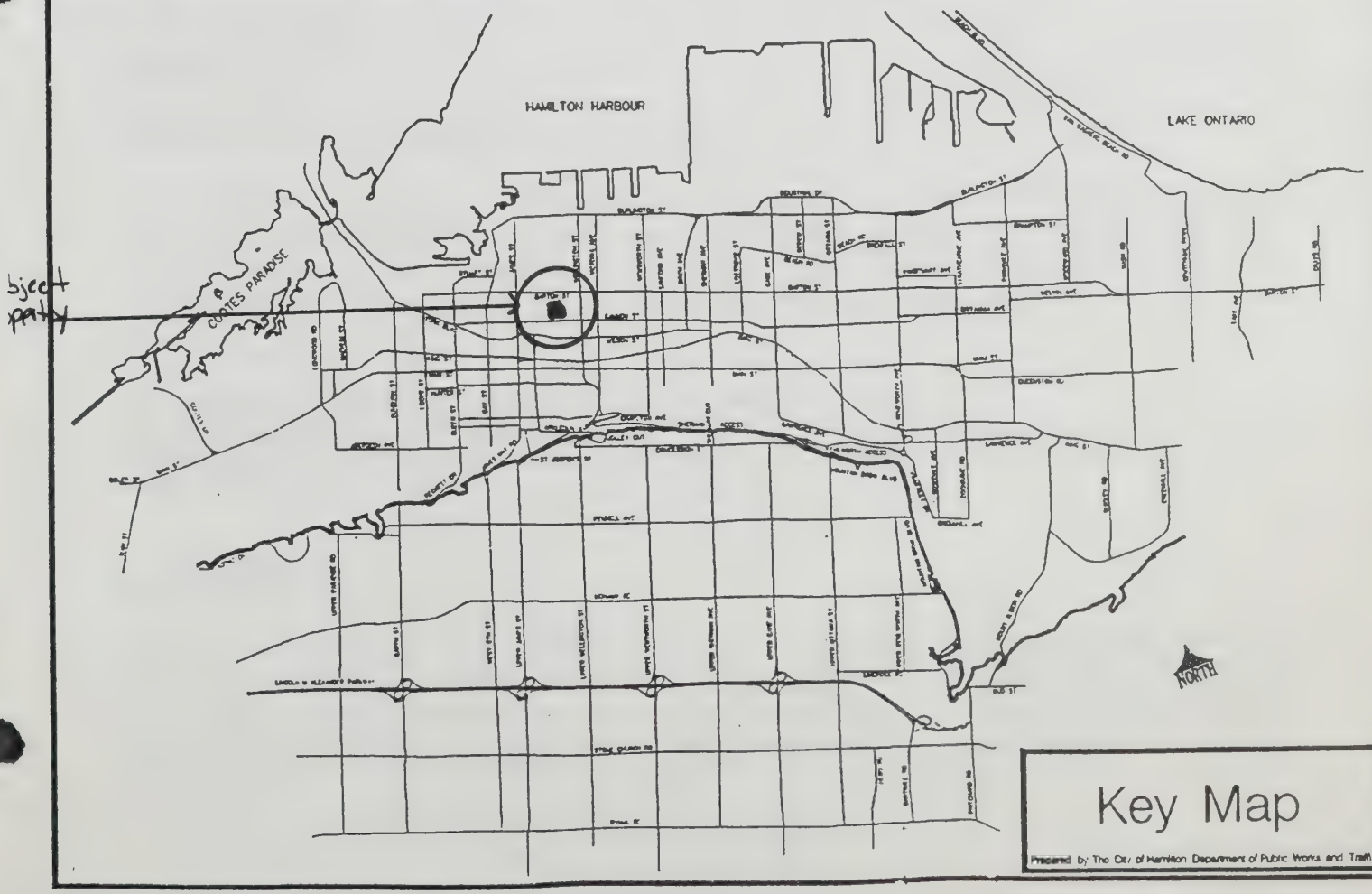
RJH/nw

c.c. Alderman A. Horwath, Alderman Ward 2
Alderman R. Corsini, Alderman Ward 2
R. C. Roszell, Corporate Counsel, Legal Services Section
Attention: H. Vastis
K. M. Lau, Manger of Surveys, Roads Division
B. Chrystian, Manager of Parks, Public Works & Traffic Department
R. Desnoyers, Director, Facilities Management



Location Plan

Prepared by The City of Hamilton Department of Public Works and Traffic



Key Map

Prepared by The City of Hamilton Department of Public Works and Traffic

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 11

REPORT TO: Chairman and Members
Finance and Administration Committee

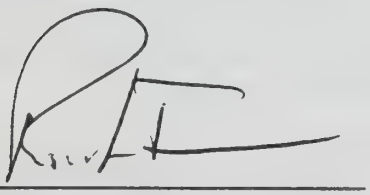
FROM: Ross Fair, General Manager
Community Services Division

SUBJECT: Revised City of Hamilton Emergency Plan
(Report CSC 99-001)

RECOMMENDATION:

That the revised Emergency Plan for the City of Hamilton be approved; and

That staff be authorized to submit the attached By-law to City Council for approval.



Signature of GM

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The revisions to the City of Hamilton's Emergency Plan were undertaken as a joint project with the Province of Ontario and the Federal Government through the Joint Emergency Preparedness Program (JEPP). The City received approximately $25,000 in subsidy from this program towards the total project cost of $55,000.

SUSTAINABLE DEVELOPMENT IMPLICATIONS:

(Vision 2020, adopted by Regional Council as their vision for the future of Hamilton-Wentworth, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all regional decision-making)

BACKGROUND:

In September 1997, the City applied to the Joint Emergency Preparedness Program for funding to undertake a major review of its Emergency Plan. Funding was approved in May 1998 and the project has been ongoing since that time. Phase I of the project is now complete with the approval of Revised Emergency Plan by the Emergency Control Group in May.

The process utilized to undertake this project has been extensive utilizing a three-year cycle for updating the plan:

Phase 1 — Review and modifications to the existing plan with stakeholder consultations at three different times in the process. This phase concludes with the adoption of a revised Emergency Plan by the Emergency Control Group and approval of the Plan and appropriate by-law by City Council.

Phase 2 — Ongoing training and testing of the plan utilizing communication and/or table-top exercises. This phase concludes with further revisions to the Emergency Plan resulting from the ongoing training and testing of the plan. This phase will be undertaken during 1999 and the early part of 2000.

Phase 3 — The process is concluded in the third year with the holding of a major field exercise resulting in further revisions to the plan if necessary.

The Emergency Plan, which outlines the roles and responsibilities of the responding agencies, is presented in Schedule I to the attached by-law. The plan is identical to the Regional Plan, with the one exception of the Head of Council. This has been made possible through the staff restructuring which has occurred over the past year.

It is also important to note that staff are now working on a Y2K Community Contingency Plan which will be added as an Annex to the Emergency Plan. This plan is currently being developed through the Y2K Community Contingency Planning Committee, which is outlined in a separate report to Council.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

To Repeal By-law Nos. 86-164 and 94-187:

And to Enact a By-law respecting

THE EMERGENCY PLAN
FOR THE CORPORATION OF THE CITY OF HAMILTON

WHEREAS Section 3 of the *Emergency Plans Act*, R.S.O. 1990, Chapter E.9. provides as follows:

3(1) The council of a municipality may pass a by-law formulating or providing for the formulation of an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other person will respond to the emergency.

(2) A by-law under subsection (1) may provide for money associated with the formulation and implementation of the emergency plan.

(3) The council of a county may with the consent of the councils of the municipalities situated within the county co-ordinate and assist in the formulation of their emergency plans under subsection (1).

(4) The Lieutenant Governor in Council may designate municipalities that shall have an emergency plan respecting the type of emergency specified in the designation and, where so designated, a municipality shall formulate or provide for the formulation of the emergency plan. 1983, c. 30, s. 3.

AND WHEREAS By-law No. 86-164 was enacted by City Council on May 13th, 1986 to formulate a municipal emergency plan.

AND WHEREAS By-law No. 94-187 was enacted by City Council on November 8th, 1994 to amend By-law No. 86-164 as it related to offences and provided for further administrative provisions and the updating of the Emergency Plan.

AND WHEREAS City Council, in adopting Section (section) of the (no.)th Report of the Finance and Administration Committee on (date), 1999 authorized this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. DEFINITIONS:

In this by-law,

(a) Act means the *Emergency Plans Act*, R.S.O. 1990, Chapter E. 9.;
(b) Corporation means the City of Hamilton;
(c) Council means the Council of the City of Hamilton;
(d) Emergency means a situation or threat of an impending situation, which abnormally affects the lives, health, safety and property of the residents of the City. An emergency by nature or magnitude, require a controlled and co-ordinated response by multiple agencies, (both governmental and/or non-governmental), under the direction of the appropriate municipal officials. An emergency is distinct from routine operations carried out as normal daily operating procedures by municipal agencies, departments or services, such as fire suppression, policing activities, road maintenance, etc.;
(e) Emergency Control Group means the group comprised of the Mayor, City Manager, Chiefs, and other Department Heads, as set out in the Emergency Plan, who

collectively act as the main decision making authority during City emergencies and is responsible for advising of all action taken with respect to an emergency.

(f) Emergency Plan means a plan formulated pursuant to this by-law provision of necessary services during an emergency and the employees of the Corporation and other persons to respond to an emergency;

2. HAMILTON EMERGENCY PLAN

(a) The emergency plan hereto annexed as "Schedule 1" and entitled "City of Hamilton Emergency Plan" shall be the emergency plan of the City of Hamilton.

3. DECLARING AN EMERGENCY TO EXIST

(a) The Mayor (or Acting Mayor) has the legislative authority under the Act to declare an "Emergency to Exist" within the boundaries of the City of Hamilton. The decision to declare an emergency to exist is made by the Mayor, in likely consultation with the members of the Emergency Control Group.

(b) Upon declaring an emergency to exist, the Mayor with the assistance of the Municipal Clerk shall immediately notify the following:

(i) members of Council;
(ii) the Chairman of the Regional Municipality of Hamilton-Wentworth;
(iii) the Solicitor General of Ontario, through the auspices of Emergency Measures Ontario;
(iv) local member(s) of Provincial Parliament;
(v) local member(s) of Federal Parliament;
(vi) elected Heads of Council of the area municipalities;
(vii) local media; and
(viii) the public

4. ADMINISTRATION

(a) The Municipal Emergency Plan formulated pursuant to this by-law, with the exception of the portions excluded from public record for security reasons, shall be be made available to the public for inspection and copying at the office of the Municipal Clerk during office hours.

(b) The following by-laws are hereby repealed:

(i) By-law No. 86-164; and
(ii) By-law No. 94-187.

(c) This by-law shall come into force on the date of its enactment.

(d) The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this day of 1999, A.D.

MUNICIPAL CLERK MAYOR



Corporation of the
City of Hamilton

Emergency Plan

City of Hamilton Emergency Plan

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0.1 EXECUTIVE SUMMARY

This Emergency Plan serves as a **Guideline** for the efficient and appropriate administration of municipal emergency response personnel and resources to respond to and mitigate the effects of any emergency situation occurring within the boundaries of the City of Hamilton.

0.2 Legislative Authority to Plan for Emergencies

This plan has been prepared under the authority of the Provincial Legislation entitled The Act to Provide for the Formulation and Implementation of Emergency Plans or The Emergency Plans Act, RSO 1990, Volume #3, Chapter E9. This legislation empowers the City of Hamilton to pass a By-Law that adopts a Municipal Emergency Plan with corresponding operating procedures.

0.3 Key Operating Concepts and Plan Highlights

During a municipal emergency, the Mayor of the City of Hamilton is ultimately responsible for any and all actions carried out on behalf of the City to respond to, and mitigate the effects of, any emergency occurring within the City boundaries. *(Section 70, the Municipal Act).*

The Mayor is assisted in this task by the heads of the various municipal corporate departments and organizations, who serve as members of an Emergency Control Group. The collective role of the Emergency Control Group is to advise the Mayor regarding actions taken to:

- direct, co-ordinate and support municipal emergency response efforts being carried out at the emergency site;
- share information between the Emergency Control Group members, the Emergency Site Team, the media and the public; and
- ensure that appropriate emergency response provisions are maintained for all areas of the City, which are outside and apart from the emergency site.

These functions are carried out from within an Emergency Operations Centre, (EOC), where the City Manager is responsible for co-ordinating all administrative operations.

The City Manager will ensure that all Emergency Control Group members meet according to a regular schedule to share information, prioritize limited available resources, prioritize actions to be undertaken in support of

emergency operations at the emergency site, and to ensure that appropriate emergency response provisions are maintained for all areas of the City, which are outside of and apart from the emergency site. These responsibilities are described in greater detail within this Emergency Plan.

Each member of the Emergency Control Group and other Emergency Support staff has individual responsibilities to fulfill from within the Emergency Operations Centre. These individual responsibilities are described in greater detail within this Emergency Plan.

If the City at any time is not able to effectively respond to an emergency using all available resources within the City, or through standard outside service arrangements, assistance can be requested from the Region of Hamilton-Wentworth, the Province of Ontario, and/or the Federal Government.

0.4 Short Title

The City of Hamilton Emergency Plan may be cited as the Hamilton Emergency Plan or the Emergency Plan.

0.5 Definitions & Relevant Terminology

City: The Corporation of the City of Hamilton

Emergency Control Group: The group comprised of the Mayor, City Manager, Chiefs, and other Department Heads, who collectively act as the main decision making authority during City emergencies.

Emergency Notification Procedure: The procedure for notifying all required Emergency Control Group and "mandatory notification" Emergency Support Group members, and instructing them to respond to the Emergency Operations Centre.

Emergency Operations Centre: The location where the Emergency Control Group, the Emergency Support Group and other designated "Support Staff" convene to administrate the municipal emergency response effort.

Emergency Planning Officer: The individual tasked with writing, testing, exercising, revising, maintaining and distributing this Emergency Plan, Emergency Procedures, and other "Contingency Plans" for the Corporation of the City of Hamilton.

Emergency Site: The location where an emergency occurs or exists.

Emergency Site Co-ordinator: The individual(s) appointed by the Emergency Control Group, tasked with ensuring that all emergency response organizations present at the emergency site act in a co-ordinated manner, and that communication is maintained with the City Manager at the Emergency Operations Centre.

Emergency Support Group: The group comprised of key municipal department heads and others with specialized expertise, who act as advisors to the Emergency Control Group, and assists them with decision making concerning areas of their own expertise.

Perimeter - Inner: The area immediately surrounding the emergency site, as designated by the Emergency Site Team, and to which access is restricted to only essential emergency personnel with specific tasks to perform.

Perimeter - Outer: The area immediately surrounding the inner perimeter as designated by the Emergency Site Team, where access is restricted to only emergency personnel. This area also known by emergency responders as the "staging area" for co-ordinating the assembly of emergency personnel and resources. This area is also used for conducting triage of injured persons, and co-ordinating the transportation of injured persons to hospital(s).

Public Inquiry Bureau: A public information service established by the City to respond to and redirect inquiries from the public during an emergency. This service will release approved information to the public and offer authoritative instructions to the public, which have been prepared by the Emergency Information Co-ordinator and approved by the Emergency Control Group.

Reception/ Evacuation Centre(s): The location(s) where emergency provisions are made to shelter, feed and/or clothe residents or other persons who are temporarily displaced by an emergency. These facilities can also be used as a "check point" where evacuees are registered as they "self evacuate" to other locations. These Emergency Social Services are normally provided by specialized volunteer agencies under the overall direction and co-ordination of Regional Social & Public Health Services.

Region: The Regional Municipality of Hamilton-Wentworth.

Support Staff: Other municipal staff who assist the Emergency Control Group members by communicating actions taken and decisions made by the

group, and collecting information from others outside the Emergency Operations Centre.

Triage: The sorting and stabilizing of casualties according to a system of priorities to minimize loss of life.

0.6 RISK

0.6.1 Defining Risk

Within the boundaries of the City of Hamilton, as with any municipality, there is the potential for emergencies to occur. Potential emergencies are measured according to the risk they present to the City. Risk is a value created when the probability of a specific emergency occurring is coupled with the resulting impact or consequence that the emergency would have on the municipality, therefore:

- **RISK = PROBABILITY x IMPACT**

The higher the probability of a specific emergency occurring and/or the greater the resulting impact that the emergency would have on the City, the greater the need to conduct emergency planning to address that risk.

In formulating this Emergency Plan, many potential emergencies have been considered and evaluated according to the above formula, to determine the risk they present to the City. The following emergency scenarios listed, are those which represent the greatest risk to the City of Hamilton.

Emergencies that present a risk within the boundaries of the City of Hamilton include, but are not limited to:

- toxic or flammable materials escape, (gas line rupture, spill or industrial accident),
- transportation accidents, (rail, road, water, or aircraft collisions, derailments or crashes),
- uncontrollable fires, (including toxic emissions),
- severe weather, (tornadoes, snow storms, ice storms, thunderstorms),
- utility failure, (power, natural gas, water, or sewage system),
- telecommunications failures, (telephones, computer, or the Regional Trunked Radio System),
- building or structural collapses, (office, residential, retail, hospital, etc.),
- explosions, (natural, or human caused, accidental or deliberate),
- medical epidemics, (e.g. major outbreak of infectious disease),

- major flooding, (urban or rural),
- radioactive materials release, (in transit or in use),
- landslides, earthquakes or property contamination, (destabilization of the escarpment or toxic industrial residue),
- breakdown in flow of essential services, (natural emergency, strike, riot or internal disturbance), or
- the threat of any of the foregoing.

1.0 INTRODUCTION

This Emergency Plan has been prepared to serve as a guideline for administering emergency response within the City of Hamilton. The focus of this Emergency Plan centres on the provision of an appropriate and co-ordinated emergency response effort from multiple agencies, in response to any municipal emergency, including the general responsibilities of Senior Municipal Officials during an emergency.

For this Emergency Plan to be effective, all participating agencies and departments must be familiar with its provisions and procedures. The information contained within this plan must be reviewed and maintained on a regular schedule in order for it to remain effective, appropriate, and up to date as municipal officials, departments and corporate structures may change over time.

1.1 AIM OF THIS EMERGENCY PLAN

To outline a plan of action for the efficient and effective deployment, administration, and co-ordination of municipal agencies, departments and services, to provide a controlled and appropriate emergency response effort in order to:

- Protect and preserve life, health and property, at single and multi-site emergencies;
- Minimize the impact of an emergency on the City of Hamilton;
- Restore essential services; and
- Provide resources and/or other assistance to area municipalities within the Region of Hamilton-Wentworth in response to emergencies, as requested.

1.2 Definition of Emergency

Emergencies are defined as situations or the threat of impending situations, which **abnormally** affect the lives, health, safety and property of the residents of the City of Hamilton. Emergencies by nature or magnitude, require a controlled and co-ordinated response by multiple agencies, (both governmental and/or non-governmental), under the direction of the appropriate municipal officials. Emergencies are **distinct from routine operations carried out as normal daily operating procedures** by municipal agencies, departments or services, such as fire suppression, policing activities, road maintenance, etc.

1.3 Jurisdictional Responsibility

Since the scale, impact and strain on municipal resources can vary depending upon the specific emergency, and/or over time, there is the possibility that a

major emergency could overload limited municipal resources. It is also possible that an emergency occurring within the City of Hamilton may change in severity over time affecting neighbouring municipalities, and/or requiring additional resources from outside the City to respond. Emergency response could potentially involve the participation of various organizations with differing jurisdictional responsibilities, and impact on the resources of the Region of Hamilton-Wentworth, the Province of Ontario, and/or the Federal Government.

1.3.1 Municipal Responsibility

When an emergency occurs or threatens the City of Hamilton, it is the initial and primary responsibility of the City to provide an immediate emergency response. Therefore, the administration of any emergency occurring within the City initially rests with City Officials. Municipal personnel are authorized to do whatever is necessary to respond to an emergency, under the provisions of the Emergency Plans Act, as long their actions are not contrary to law.

If an emergency response cannot be effectively administrated by City and/or Regional resources, under the existing division of statutory responsibilities, the Mayor may, on the advice of the Emergency Control Group, request assistance from the Region of Hamilton-Wentworth. This action does not in itself relinquish control of the emergency to the Region.

1.3.2 Regional Responsibility

Due to the number of Regional departments/agencies which provide services to the City, if an emergency occurs within the boundaries of the City, said Regional departments, organizations and services will fall under the administration of the Mayor and the Emergency Control Group of the City of Hamilton. If additional assistance is required from the Region, which is outside of normal service arrangements, the Mayor may choose to make a formal request for assistance to the Region of Hamilton-Wentworth.

The Region of Hamilton-Wentworth however, may choose to activate the Regional Emergency Plan if any or all of the following conditions are applicable:

- If the emergency escalates beyond the ability of the City of Hamilton to respond; or
- If the emergency impacts or threatens to impact municipal boundaries and affect other area municipalities bordering the City of Hamilton; or
- If the emergency is of such large scale or magnitude that it requires the Region to activate its Emergency Plan in response to a "Regional Emergency". At that time, any area municipal Emergency Plans currently in

operation shall continue to operate in co-ordination with the Region's Emergency Plan.

1.3.3 Provincial Responsibility

If an emergency escalates beyond the ability of the combined resources of the City and the Region to mitigate, the Regional Chair may, on the advice of the Region's Emergency Control Group, request assistance from the Province of Ontario.

Under the provisions of the Emergency Plans Act, the Premier of the Province of Ontario has certain authorities, which he/she may invoke in response to any emergency occurring within the Province of Ontario. These authorities include declaring an "emergency to exist" anywhere in the Province, and/or "twinning" municipalities to provide support to other municipalities impacted by an emergency, etc.

1.4 Activation of this Emergency Plan

This Emergency Plan is considered implemented upon activation of the Emergency Notification Procedure.

Municipal emergency responders may take action under the provisions of the Emergency Plans Act and this Emergency Plan, **at any time**, as long their actions are not contrary to law.

- **Implementation of this Emergency Plan never constitutes, in itself, an Emergency Declaration. (Refer to Section 7.0 - Declaring an Emergency to Exist).**

2.0 EMERGENCY NOTIFICATION PROCEDURE

2.1 Administration of the Emergency Notification Procedure

Hamilton-Wentworth Regional Police Communications is responsible for initially notifying members of the Emergency Control Group and "mandatory notification" of members of the Emergency Support Group, and instructing them to respond to the Emergency Operations Centre or to "Stand-By" for further information.

2.2 Activation of the Emergency Notification Procedure

If an emergency occurs or is likely to occur within the boundaries of the City of Hamilton that requires a controlled and co-ordinated response from multiple municipal departments, organizations or services, the Emergency Notification System will be activated, and emergency personnel will be instructed to respond to the Emergency Operations Centre or to "Stand-By" for further information.

2.3 Authority to Activate

Any member of the Hamilton Emergency Control Group has the authority to activate the Emergency Notification Procedure by contacting the Regional Police Communications Supervisor.

2.4 Emergency Notification Levels

Due to the threat of an emergency situation developing or the potential for an emergency situation to change in severity over time, there are three different levels at which emergency personnel can be notified.

❋ ***The Emergency Notification Levels are as follows:***

2.4.1 "Full Notification"

When an ECG member instructs Regional Police Communications to issue a full notification, all members of the Emergency Control Group and all "mandatory notification" members of the Emergency Support Group will be contacted and instructed to respond to the Emergency Operations Centre at a given time.

2.4.2 "Partial Notification"

When an ECG member instructs Regional Police Communications to issue a partial notification, only selected members of the Hamilton Emergency Control

Group and/or Emergency Support Group, as designated by the ECG member, are contacted and instructed to respond to the Emergency Operations Centre at a given time;

2.4.3 "Stand-By Notification"

When an ECG member instructs Regional Police Communications to issue a stand-by notification, either all, or selected members of the Emergency Control Group and/or the Emergency Support Group, as designated by the ECG member, are contacted and instructed to "Stand By" for further information.

This type of notification will be used if there is an emergency situation developing or the threat of an emergency occurring, which does not yet merit assembling members of the above groups.

2.5 Emergency Notification Procedure

Emergency notifications are conducted essentially by telephone and co-ordinated by Regional Police Communications Staff.

- ***All Emergency Control and Support Group members will be contacted according to the "This is Real" Emergency Notification Procedure attached as Appendix 3 to this Plan.***

3.0 EMERGENCY OPERATIONS CENTRE (EOC)

3.1 Operational Concept

The Emergency Operations Centre is where the Emergency Control Group, the Emergency Support Group and other support personnel assemble to share information, evaluate options and make decisions regarding the administration of the emergency, and provide support to the emergency site.

The City Manager is responsible for co-ordinating all operations within the Emergency Operations Centre.

❖ ***Please Refer to Diagram 3.1 – The Emergency Operations Centre***

The Emergency Operations Centre will have the following amenities:

- A meeting room for the Emergency Control Group and Emergency Support Group;
- A Telecommunications & Support room with appropriate voice radios, phones, faxes, access to a photocopier, cable television, printers and computers connected to the corporate network;
- Appropriate comfort facilities including washrooms, quiet areas, kitchen facilities and showers;
- Adequate parking for all emergency personnel;
- Access to an appropriate Media Information Centre with Press Conference area; and,
- An adequate back-up power supply permitting the EOC to fully function without a municipal power supply.

3.2 Emergency Control Group Meeting Room

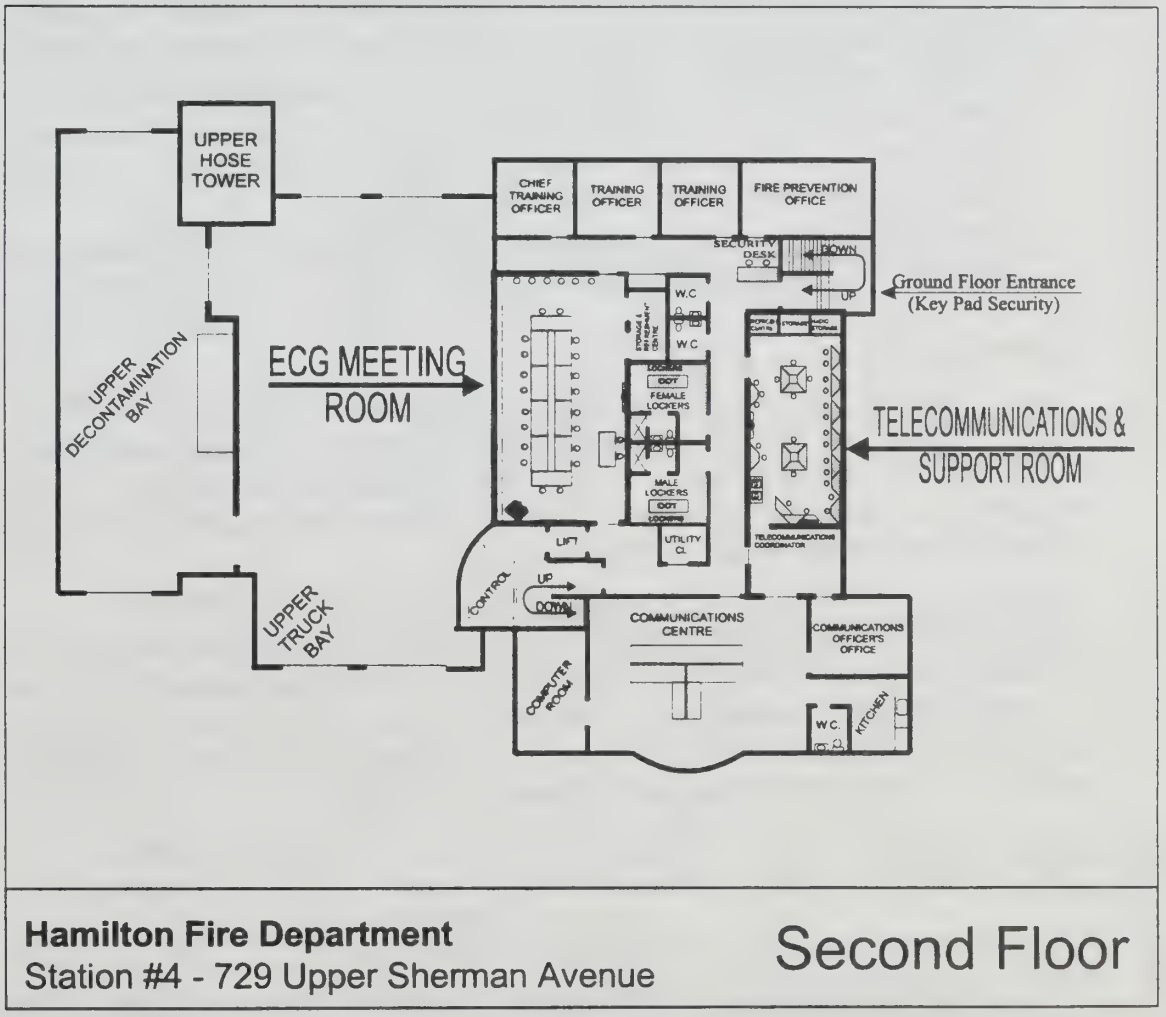
The Emergency Control Group requires a quiet meeting room located close to support and telecommunications functions. This room must be able to comfortably contain all members of the Emergency Control Group, the Emergency Support Group, and any other persons required to advise the Mayor and the Emergency Control Group.

The Emergency Control Group Meeting Room will contain the following amenities:

- Sufficient tables and chairs for all present;
- An accurate clock, synchronized with all other EOC clocks;

- Maps of suitable scale for depicting and updating emergency operations;
- A visual board for logging emergency operations status, key decisions and other information;
- Devices for recording the Emergency Control Group Meetings;
- A television and VCR for Media Updates from the Emergency Information Co-ordinator;
- A computer and qualified recording secretary for taking and producing minutes of the Emergency Control Group meetings; and,
- All necessary stationery requirements and office supplies for those present to take notes and record information.

Diagram 3.1 – The Emergency Operations Centre



3.3 Telecommunications & Support Room

While the Emergency Control Group is engaged in meetings, they will require "Support Staff" to collect information, relay information, conduct office support functions and convey decisions/actions taken by the Emergency Control Group members. Therefore, the Telecommunications & Support room must be in close proximity to the Emergency Control Group Meeting Room.

The Telecommunications & Support Room will contain the following amenities:

- Sufficient tables and chairs for all present;
- An accurate clock, synchronized with all other EOC clocks;
- Maps of suitable scale for depicting and updating emergency operations;
- All necessary phones, portable voice radios, fax machines, printers and computers connected to the corporate network required to communicate with others outside the Emergency Operations Centre, at the Emergency Site or elsewhere;
- Televisions and a VCR for media monitoring; and,
- All necessary stationery requirements and office supplies for those present to take notes and record information.

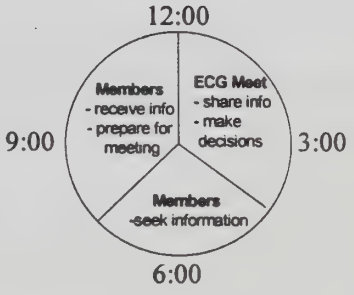
3.4 Support Staff

Each member of the Emergency Control Group will designate one or two "Support Staff" from within their own department, organization or service, to support their Emergency Control Group member, as required, from within the Telecommunications & Support Room.

Support staff will be alerted according to their own internal departmental alerting procedure and not through the Emergency Notification Procedure. Support staff are responsible for operating the telephones, voice radios, faxes, computers and relaying information to and from their Emergency Control Group member to key personnel outside the Emergency Operations Centre.

3.5 Meeting Cycle

It is essential that the Emergency Control Group members meet on a regular basis to share information, identify actions, set priorities, make decisions and resolve problems. These meetings are scheduled by the City Manager on a regular rotation, allowing time between meetings for Emergency Control Group members to deal with their individual responsibilities.



This meeting schedule is called the "Meeting Cycle".

3.6 Emergency Control Group Meetings

When the Emergency Control Group meets according to the meeting cycle, there will be no interruptions, (unless urgent), until the meeting is concluded. When a meeting commences, all Emergency Control Group members will come to the table and each member will briefly update the group on the actions of their respective organization. Each update will identify issues needing resolution and seek input from the group as a whole with the City Manager chairing each meeting.

Emergency Control Group meetings serve as the essential forum for group decision making and keeping all group members up to date regarding the actions of each organization, and the emergency situation as a whole. All Emergency Control Group Members must be present at each meeting to hear reports from, and give reports to the group as a whole.

3.7 Emergency Operations Centre Locations

It is possible that an Emergency Operations Centre could be directly affected by the emergency itself. Therefore, an alternate Emergency Operations Centre must be available at all times.

- **A Primary EOC will always be preferred, with an Alternate EOC as a back up.**

3.71 Primary EOC Location

- ***The Primary Emergency Operations Centre*** *is located on the second floor of the Hamilton Fire Department's Station #4, at 729 Upper Sherman Avenue.*

3.72 Alternate EOC Location

- ***The Alternate Emergency Operations Centre*** *is located on the second floor of the Hamilton-Wentworth Regional Police Services Building, at 155 King William Street.*

3.8 Emergency Operations Centre - Organization & Procedures

- ***A detailed Emergency Operations Centre - Organization & Procedures, is attached as Annex A to this Plan, and is maintained under separate cover.***

4.0 EMERGENCY CONTROL GROUP

4.1 Composition

The Emergency Control Group will be composed of the following municipal officials, or their designated alternates, holding the following appointments:

- ☑ Mayor
- ☑ City Manager
- ☑ Chief of Regional Police
- ☑ Fire Chief / Regional Fire Co-ordinator
- ☑ Ambulance Services, Duty Manager
- ☑ Medical Officer of Health
- ☑ General Manager, Social & Public Health Services
- ☑ General Manager, Transportation, Operations & Environment
- ☑ General Manager, Community Services
- ☑ Manager, Ambulance & Emergency Services
- ☑ Emergency Planning Advisor

❋ ***The Emergency Control Group may function with only a limited number of members present; depending upon the "Notification Level" initiated.***

4.2 Group Responsibilities

The Emergency Control Group is responsible for advising the Head of Council on all actions taken to support emergency workers at the emergency site, evacuation centres or any other location where staff, people, or volunteers are working to respond to an emergency. These actions include informing the public regarding issues of concern, issuing authoritative messages to the public through the media, providing the co-ordination and support necessary to respond to and mitigate the emergency situation, and ensuring that adequate emergency resources are maintained outside of and apart from the emergency site.

The role of the Emergency Control Group is to co-ordinate **the administration** of emergency resources out of the Emergency Operations Centre.

❖ ***The collective responsibilities of the Emergency Control Group include, but are not limited to the following:***

- ➢ **Co-ordinating all emergency support operations** during and post incident.
- ➢ Calling out and/or **mobilizing any agency/department emergency responders** as required.

- Co-ordinating and directing agency/department service providers, and **ensuring that all actions taken to mitigate the emergency** are conducted, and are **not contrary to law**.
- **Ensuring adequate emergency service provisions** are maintained outside and separate from those responding at the Emergency Site.
- Appointing an Emergency Site Co-ordinator or multiple Emergency Site Co-ordinators from the lead emergency response service **and ensuring there is an Emergency Site Co-ordinator appointed** upon assembly of the Emergency Control Group at the Emergency Operations Centre.
- Ensuring that the Emergency Site Team **establishes an inner and outer perimeter** around the emergency site.
- Advising the Head of Council regarding **making an emergency declaration** if warranted and ensuring that all required are informed of any emergency declaration made by the Head of Council.
- Ensuring the Emergency Site Team **disperse and/or remove any people not involved in emergency operations**, who are in danger, or who's presence hinders emergency operations being carried out by the Emergency Site Team.
- **Deciding to evacuate any buildings** within an emergency site, on the advice of the Emergency Site Team, which are considered dangerous or in which the occupants are in danger.
- Ensuring the **discontinuing any service or utility** without reference to any consumer, where continuation of such service constitutes a hazard to emergency operations or public safety.
- **Collecting and disseminating information** on the emergency and providing factual information to officials involved in emergency operations, the news media and the general public through the establishment of an Public Inquiry Bureau and through a Public Information/ Media Centre.
- **Authorizing any expenditure** required for emergency operations, emergency humanitarian aid and the preservation of the life, health and safety of anyone involved in or adversely affected by the emergency.
- **Requesting assistance** from other governmental departments/agencies, volunteer organizations, the private sector or the general public.
- Ensuring that support staff **maintain a record of actions** taken and decisions made by the Emergency Control Group during the emergency.
- Advising the Head of Council when and why to **terminate an emergency declaration,** and ensuring that all required are informed of the termination of any emergency declaration.
- Before emergency response efforts have been completed, **determining if an Emergency Recovery Committee needs to be established**, and if so, determining the chair and composition of that committee, along with its reporting structure.

- **Maintaining a log outlining communications and actions taken** by their agency, participating in a post emergency debriefing and providing necessary information to assist the Emergency Planning Officer with the preparation of a report on the emergency, upon request.

4.3 Individual Responsibilities

4.3.1 Mayor

The Mayor as Head of Hamilton City Council, is ultimately responsible for all decisions and actions made by the Emergency Control Group. The Mayor is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Declaring an emergency to exist within the City.
- Terminating any emergency declaration.
- Ensuring that the media, the public and neighbouring municipal officials are kept apprised of the emergency situation, including any emergency declaration(s), and emergency termination(s), in co-ordination with the Emergency Public Information Co-ordinator, and the City Manager.
- Fulfilling the role of Primary Municipal Spokesperson and conducting Media Briefings, as arranged by the Emergency Public Information Co-ordinator in consultation with the City Manager.

4.3.2 City Manager

The City Manager is responsible for co-ordinating all activities in the Emergency Operations Centre. The City Manager is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Advising the Mayor on issues regarding Regional policies and procedures as required.
- Establishing the meeting cycle and ensuring that the Emergency Control Group adheres to it.
- Ensuring that a record of issues and problems identified, resolved and yet to be resolved, is maintained throughout the emergency through the Municipal Clerk.
- Maintaining communications with the appointed Emergency Site Co-ordinator(s).
- Approving media releases in co-operation with the Emergency Public Information Co-ordinator and the Head of Council.

4.3.3 Chief of Regional Police Service

The Regional Chief of Police, (or acting Chief of Police), is responsible for advising the Emergency Control Group regarding the protection of life, property, the provision of law and order, and conducting evacuations. The Chief of Regional Police is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Appointing a Police Incident Commander or "Officer in Charge" at the emergency site.
- Establishing ongoing communications with the Police Commander at the emergency site, with the assistance of a support person operating out of the Telecommunications & Support Room.
- Liaising with Ambulance Services and providing an estimated number of casualties where required.
- Notifying the Coroner regarding fatalities.
- Co-ordinating all policing functions in support of the emergency site.
- Advising the Emergency Control Group regarding the most effective use of police resources in support of the emergency response at the emergency site and external to the emergency site.
- Ensuring the provision of traffic control measures to facilitate the movement of emergency vehicles.
- Recommending and establishing safe evacuation routes in co-ordination with the Police On-Site Commander, and other members of the Emergency Control Group.
- Ensuring the alerting of persons endangered by the emergency, co-ordinating evacuation procedures in co-operation with the Emergency Control Group, and conducting an evacuation of any part of the municipality if necessary.
- Liaising with other municipal, provincial and federal police agencies as necessary.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.4 Fire Chief / Regional Fire Co-ordinator

The Chief of the Hamilton Fire Department / Regional Fire Co-ordinator is responsible for providing the Emergency Control Group with information and advice regarding all operations associated with fire suppression, fire prevention, hazardous materials response, and fire search and rescue. The Fire Chief / Fire Co-ordinator is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Appointing a Fire Incident Commander or "Officer in Charge".
- Establishing ongoing communications with the Fire Incident Commander at the emergency site, with the assistance of a support person operating out of the Telecommunications & Support Room.
- Liaising with ambulance services, and providing an estimated number of casualties where required.
- Arranging for all additional fire assistance with the Fire Marshal of Ontario and co-ordinating all mutual aid requirements.
- Determining the need for any special equipment or resources and making these needs known to the Emergency Control Group.
- Ensuring the provision of emergency resuscitation equipment, together with trained operators.
- Advising the Emergency Control Group regarding the need to evacuate buildings, areas, or the demolition of structures, which present a danger. Conduct search and rescue of persons where necessary if possible.
- Liaising with other fire authorities, as required, and co-ordinating the participation of any other fire authorities.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.5 Ambulance Services Duty Manager

The Ambulance Services Duty Manager is responsible for advising the Emergency Control Group on all aspects of emergency medical treatment, triage and transportation of the injured. The Ambulance Services Duty Manager is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Ensuring the appointment of an on-site Ambulance Services Commander.
- Liaising with any other Emergency Medical agencies at the emergency site, at evacuation/reception centres, and elsewhere, with the assistance of a support person operating out of the Telecommunications & Support Room.
- Ensuring that there is appropriate ambulance personnel and equipment to conduct triage and essential medical treatment at the emergency site, at reception/ evacuation centres or any other location as required.
- Assessing the need for on-site emergency medical services during an emergency and prioritizing available resources.
- Liaising with the Manager of Ambulance and Emergency Services on areas of mutual concern.

- Liaising with area hospitals for the efficient distribution of casualties through Ambulance Communications.
- Liaising with the Ambulance Services Commander at the emergency site regarding provision of specialized resources such as ambulance buses, crash vehicles, Medevac helicopters etc.
- Liaising and co-ordinating with volunteer emergency medical services such as St. John Ambulance.
- Liaising with the Medical Officer of Health, and the General Manager, Social & Public Health Services regarding the organization and transportation of persons in hospitals, health care facilities, long term care facilities, and any other medically fragile persons as required.
- Liaising with the Ministry of Health regarding issues of mutual concern during and following an emergency.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.6 Medical Officer of Health

The Medical Officer of Health is responsible for providing the Emergency Control Group with information and advice on all areas of Public and Environmental Health. The Medical Officer of Health is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Liaising with Ambulance Services, Social & Public Health Services and the Ministry of Health - Public Health Branch regarding issues of mutual concern.
- Co-ordinating all emergency health services and facilities within the Region as required.
- Making recommendations to the Emergency Control Group on risks to public safety and the need to evacuate areas of the city.
- Providing a senior Public Health Representative as part of the Emergency Site Team, as required.
- Providing consultation to emergency responders and the public regarding the immediate and long term effects of toxic gasses, liquids and/or other substances which may be present at or emanate from the emergency site.
- Providing consultation to emergency responders, the public, and public inquiry staff, regarding flooding, potential drinking water and/or food contamination.
- Providing authoritative instructions on health and safety matters to the public through the Emergency Public Information Co-ordinator.
- Co-ordinating responses to disease related emergencies, epidemics or mass immunization programs according to Ministry of Health policies and procedures.

- Ensuring co-ordination of transportation, medical care and services for residents of Long Term Care Facilities, Second Level Lodging Homes, Nursing Homes, Special Care Facilities as well as bed-ridden citizens and individuals at home.
- Providing appropriate Public Health officials and personnel to inspect, staff and support evacuation/reception centres.
- Liaising with voluntary and private health agencies to augment and support public health resources.
- Arranging for the provision of emergency potable water supplies and sanitation facilities in co-ordination with Environment Services.
- Arranging for post emergency Critical Incident Stress Debriefings for affected citizens and municipal emergency workers as required.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.7 General Manager, Social & Public Health Services

The General Manager, Social & Public Health Services is responsible for advising the Emergency Control Group on all aspects of social assistance to individuals affected by or temporarily displaced by the emergency. The General Manager, Social & Public Health Services is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Ensuring the well being of residents displaced from their homes during an emergency,
- Co-ordinating with the appropriate School Boards regarding facilities for evacuee sheltering.
- Designating suitable evacuation/reception centres in consultation with the General Manager, Community Services, Regional Police and Transportation Services.
- Co-ordinating the opening, operation, control and supervision of evacuation/reception centres for the provision of emergency social assistance, (food, clothing, shelter, personal services, financial assistance, registration & inquiry, etc.).
- Co-ordinating the process to register all persons arriving at evacuation/reception centres and forwarding this information to a Registration and Inquiry Bureau.
- Co-ordinating the participation of any community volunteer agencies with roles to perform within their scope of operations.

4.3.8 General Manager, Transportation, Operations & Environment

The General Manager, Transportation, Operations & Environment is responsible for advising the Emergency Control Group regarding the efficient and effective use of transportation, infrastructure, road maintenance, road clearing, road construction and sanitation resources. The General Manager, Transportation, Operations & Environment is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Providing an appropriately qualified individual for the Emergency Site Team at the request of the Emergency Site Co-ordinator.
- Determining the need for any special equipment or resources and recommending sources of supply to the Emergency Control Group.
- Providing specialized transportation and response equipment in support of the Emergency Site.
- Providing public transit vehicles and operators for the safe transportation of evacuees and emergency response personnel, as required.
- Providing testing and laboratory services to determine the presence of airborne, waterborne or latent toxic hazards.
- Liaising with local utilities to provide special equipment, vehicles and personnel as required.
- Liaising with local Conservation Authorities with respect to water levels during times of flooding or anticipated flooding, and acting as the City's "Flood Co-ordinator".
- Ensuring that barricades and flashers are delivered to the emergency site to establish traffic control points and emergency perimeters, as required.
- Liaising with local utilities to disconnect services that may be a hazard to emergency responders or the public and to have these services reconnected when appropriate.
- Co-ordinating the provision of specialized municipal equipment, along with trained operators to the emergency site.
- Ensuring adequate emergency water supply/pressure for effective fire suppression operations.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.9 General Manager, Community Services

The General Manager, Community Services is responsible for advising the Emergency Control Group regarding the efficient and effective use of all municipal Parks and Recreation facilities. The General Manager, Community Services is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Co-ordinating with Community Services staff regarding the designation and use of municipal Parks & Recreation facilities as evacuation/reception centres.
- Directing the actions of the Culture & Recreation Department, Library Services, and Ambulance & Emergency Services regarding actions taken to assist during the initial emergency response and later during emergency recovery efforts.
- Co-ordinating the actions of municipal emergency planning personnel, in co-operation with the Manager, Ambulance & Emergency Services.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.10 Manager, Ambulance & Emergency Services

The Manager, Ambulance & Emergency Services is responsible for advising the Emergency Control Group regarding the efficient and effective use of ambulance fleet services, municipal emergency planning and Regional trunked radio resources. The Manager, Ambulance & Emergency Services is also responsible for:

- Activating the Emergency Notification Procedure through Regional Police Communications, as required.
- Ensuring a Telecommunications Co-ordinator is present to co-ordinate all voice radio communication functions from within the Emergency Operations Centre.
- Co-ordinating the activities of municipal emergency planning personnel.
- Advising the Emergency Control Group on all matters related to emergency telecommunications and the Regional Trunked Radio System.
- Advising the Emergency Control Group on all matters related to Ambulance Fleet Services and Ambulance Communications.
- Ensuring that Emergency Planning personnel are available at the Emergency Operations Centre, and sufficient back-ups are able to respond at all times, during an emergency.
- Providing an Emergency Site Co-ordinator if directed by the Emergency Control Group.

4.3.11 Emergency Planning Officer

Reporting to the Manager, Ambulance & Emergency Services, the Emergency Planning Officer is responsible for:

- Ensuring that the Emergency Operations Centre is set-up and operational immediately upon notification by Regional Police Communications Staff.
- Acting as a resource to the City Manager, and assisting him/her in fulfilling their respective duties at the Emergency Operations Centre.
- Acting as a resource to the Emergency Control Group and the Emergency Support Group regarding emergency management issues.
- Assisting the Manager, Ambulance & Emergency Services in fulfilling their responsibilities.
- Providing guidance, direction and/or assistance to any emergency or support personnel at the Emergency Operations Centre, and/or any other location as required by the Emergency Control Group.
- Liaising with other agencies as required by the Emergency Control Group.
- Assisting the Emergency Site Co-ordinator as appointed by the Emergency Control Group in fulfilling their responsibilities, as required.
- Arranging and conducting a post emergency debriefing.
- Preparing and circulating the post-emergency debriefing report.

4.3.12 Support Staff

Support Staff assist the Emergency Control Group members in the Emergency Operations Centre. Support staff will operate out of the Telecommunications & Support Room and are responsible for operating the phones, portable radios, computers, printers and faxes to distribute and collect information at the direction of their Emergency Control Group member.

- ***Support staff will be notified by their Emergency Control Group member, according to an internal agency/ department procedure, and be instructed to respond to the Emergency Operations Centre as required.***

5.0 EMERGENCY SUPPORT GROUP (ESG)

5.1 Composition

The Emergency Support Group will be composed of the following officials, or their designated alternates:

- ☑ Municipal Clerk
- ☑ Legal Services, Corporate Counsel
- ☑ General Manager, Financial Services
- ☑ General Manager, Human Resources
- ☑ Municipal Clerk's Support
- ☑ Emergency Public Information Co-ordinator
- ☑ Telecommunications Co-ordinator
- ☑ Community Awareness & Emergency Response, (CAER)
- ☑ Hamilton Hydro-Electric System Representative

The above group members are considered "Mandatory Notification" and will always be notified upon activation of the Emergency Notification Procedure, unless specifically omitted according to the "Notification Level" initiated.

5.2 Group Responsibilities

The Emergency Support Group is comprised of municipal or other non-governmental officials, who may be required to advise the Head of Council and the Emergency Control Group during an emergency, and to work at their direction.

5.3 Individual Responsibilities

5.3.1 Municipal Clerk

The Municipal Clerk is responsible for ensuring the effective administrative operation of the Emergency Operations Centre, in co-operation with the Municipal Clerk's Support person, and the Emergency Planning Officer. The Municipal Clerk is also responsible for:

- ➢ Directing all actions of the Municipal Clerk's Department taken to assist municipal emergency response efforts, co-ordinate the release of emergency information, and conduct post emergency recovery efforts.
- ➢ Ensuring the opening, staffing and operation of the switchboard at Hamilton City Hall, as required during an emergency.

- Ensuring that the Emergency Public Inquiry Bureau is staffed and operational at the direction of the Emergency Control Group.
- Co-ordinating with the City Manager and the Head of Council to ensure that all Council members are advised of any emergency declaration made, or the termination of any emergency declaration made, by the Head of Council, and any others actions taken by the Emergency Control Group.
- Liaising with the Emergency Public Information Co-ordinator regarding the provision of approved information through the City Hall switchboard and the Public Inquiry Bureau.
- Ensuring that a log of decisions made and actions taken by the Emergency Control Group is maintained, throughout the emergency.

5.3.2 Legal Services, Corporate Counsel

The Corporate Counsel is responsible for advising the Emergency Control Group on all aspects of municipal law. The Corporate Counsel is also responsible for:

- Advising the Emergency Control Group on matters relating to law, and how they may be applicable to the actions of the municipality during emergencies.
- Co-ordinating the actions of other Legal Services Staff to assist, as required.

5.3.3 General Manager, Financial Services

The General Manager, Financial Services is responsible for advising the Emergency Control Group on all matters relating to municipal finance. The General Manager, Financial Services is also responsible for:

- Advising the Emergency Control Group on matters related the capabilities of the municipality to make emergency financial provisions.
- Providing direction to purchasing staff regarding purchases during an emergency, according to an Emergency Purchasing Policy.
- Ensuring that records of all expenses are maintained for future claims purposes, and that expenses are paid forthwith.
- Liaising with the Provincial Ministry of Municipal Affairs & Housing regarding the Ontario Disaster Relief Assistance Program, (ODRAP), as required.
- Directing staff to reimburse persons or outside agencies for expenses incurred in areas of the municipality's responsibility only, at the direction of the City Manager and the Emergency Control Group.

5.3.4 General Manager, Human Resources

The General Manager, Human Resources is responsible for advising the Emergency Control Group on all matters related to City and Regional staffing. The General Manager, Human Resources is also responsible for:

- Co-ordinating, prioritizing, and processing requests for municipal human resources,
- Co-ordinating offers of, and appeals for, volunteers at the direction of the Emergency Control Group,
- Establishing a "Volunteer Registration Bureau" at the direction of the Emergency Control Group, as required,
- Ensuring that Volunteer Registration Forms are available and filled out for every volunteer called upon by the municipality during an emergency,
- Ensuring that identification cards are issued to volunteers and temporary employees where practical, in co-operation with municipal emergency planning personnel.
- Arranging for the transportation of volunteers and staff involved in the emergency, in co-ordination with Transportation Services, and
- Obtaining assistance from other levels of government, public and private agencies and volunteer groups outside of the municipality, where required.

5.3.5 Municipal Clerk's Support

- Co-ordinating the provision of clerical staff for the Emergency Operations Centre, as required.
- Acting as the recording secretary to the Emergency Control Group by taking and producing the minutes of the Emergency Control Group Meetings.
- Ensuring that sufficient and appropriate food, hot & cold beverages are ordered and available for the Emergency Operations Centre staff, as required.
- Ensuring that appropriate personnel are on call and available for maintaining the air conditioning, heating and office machines (e.g. fax, photocopiers, overhead projectors etc.) at the Emergency Operations Centre, in co-operation with Facilities Management, as required.

5.3.6 Emergency Public Information Co-ordinator

The Emergency Public Information Co-ordinator is responsible for advising the Emergency Control Group on all matters related to information to be presented to the public through the media, the monitoring of information being presented by the media. During the implementation of this plan, the Emergency Public Information Co-ordinator reports to the City Manager, and works in support of the

Emergency Control Group. The Emergency Public Information Co-ordinator is also responsible for:

- Communicating information regarding the emergency to the public through the media using media kits, news releases, press briefings, public service announcements, flyers, telephones, the Internet, and public meetings as required, at the direction of the City Manager and the Emergency Control Group.
- Identifying issues, concerns and misinformation that can be addressed through use of the mass media and preparing appropriate responses.
- Organizing media briefings and preparing the Head of Council and other members of the Emergency Control Group prior to each media briefing, as required.
- Co-ordinating media site tours with the Emergency Site Co-ordinator and the On-Site Media Spokesperson(s).
- Ensuring that the public is receiving the information they require and that the information received is factual and correct.
- Liaising with the Public Inquiry Bureau, regarding information to be provided to the public and, information being requested by the public.
- Making a request for and, supervising media monitoring staff at the Emergency Operations Centre (located within the Telecommunications & Support Room).
- Attending all Emergency Control Group meetings in accordance with the "Meeting Cycle".

5.3.7 Telecommunications Co-ordinator

The Systems Manager of Emergency Communications will fulfil the role of Telecommunications Co-ordinator. The Telecommunications Co-ordinator is responsible for ensuring effective voice radio communications between the Emergency Operations Centre, the Emergency Site, and among the Emergency Response Agencies. The Telecommunications Co-ordinator is also responsible for:

- Ensuring that the Telecommunications & Support Room at the Emergency Operations Centre is adequately equipped with voice radio equipment (portables, base station radios, etc.) during an emergency.
- Maintaining the user gear as required, to ensure proper communications capabilities during an emergency.
- Maintaining an inventory of available communications equipment and ensuring that it functions properly.

- Providing training to all Emergency Operations Centre staff, regarding proper use of the portable radios, as co-ordinated by the Emergency Planning Officer, to ensure all EOC staff know how to use the gear properly.
- Ensuring that all EOC Talk Groups are functioning properly and tailoring radio talk groups according to the needs of the EOC staff, according to the emergency situation.
- Locating at the Emergency Operations Centre during an emergency to oversee all voice communications related functions.

5.3.8 Community Awareness & Emergency Response (CAER)

The Community Awareness & Emergency Response representative is responsible for advising the Emergency Control Group on all matters related to local industry, the Vital Resources Directory, actions taken, or assistance rendered by local industry. The CAER representative is also responsible for:

- Liaising with local industry management regarding issues of concern, assistance in the form of material resources, and/or personnel with specific expertise, at the direction of the Emergency Control Group.

5.3.9 Hamilton Hydro-Electric System

The Hamilton Hydro-Electric System representative is responsible for advising the Emergency Control Group on all matters related to the electrical distribution system, from within the Emergency Operations Centre. The Hamilton Hydro-Electric System representative is also responsible for:

- Notifying critical organizations, (i.e. hospitals and persons on medical support equipment) of impending power outages at the direction of the Emergency Control Group.
- Discontinuing services to any consumer where it is considered in the interest of public safety at the direction of the Emergency Control Group.
- Co-ordinating with the Emergency Control Group is establishing priorities for the restoration of services, and/or rotational load shedding, as required.
- Maintaining/restoring services on a priority basis where necessary and practical (i.e. Evacuation Centres) as determined by the Emergency Control Group.
- Providing any additional staff and equipment necessary to restore the electrical distribution system.
- Liaising with Ontario Hydro for inspection services, for the restoration of electrical service.
- Assisting the Emergency Site Co-ordinator as appointed by the Emergency Control Group in fulfilling their responsibilities when required.

6.0 EMERGENCY SUPPORT GROUP - "Ad Hoc Membership" (ESG, Ad-Hoc)

6.1 Composition

The following include other municipal, regional, provincial, or private agency representatives, who may be called on to advise the Emergency Control Group.

If assistance from the following is required, they will be alerted by Emergency Operations staff from within the Emergency Operations Centre, and instructed to respond to the EOC, as required. These Emergency Support Group Ad-Hoc members may include, but are not limited to:

- ☑ Facilities Management
- ☑ Purchasing, (Treasury)
- ☑ Social Services, (Social & Public Health Services)
- ☑ Environment Services
- ☑ Public Works & Traffic
- ☑ Community Planning & Development (Building)
- ☑ Transportation Services, (HSR)
- ☑ Business Information Systems
- ☑ Emergency Measures Ontario Liaison

6.2 Individual Responsibilities

6.2.1 Facilities Management Support

Facilities Management support personnel may be required to advise the Emergency Control Group on matters related to the use of municipal owned facilities, access to these facilities, and the staffing of municipal facilities during an emergency.

6.2.2 Purchasing Support

Purchasing support personnel may be required to advise the General Manager, Financial Services on matters related to resource acquisitions in response to an emergency, and how the municipality will pay for any resources acquired.

6.2.3 Social Services Support, (Social & Public Health Services)

Social Services support personnel may be required to advise and assist the General Manager, Social & Public Health Services on matters related to the provision of emergency humanitarian aid.

6.2.4 Environment Services Support

Environment Services support personnel may be required to advise the General Manager, Transportation, Operations & Environment and the Emergency Control Group on matters related to:

- Providing spills response expertise and advice.
- Maintaining the integrity of the municipal sewage and water systems.
- Providing equipment for emergency pumping operations.
- Providing emergency potable water supplies and/or sanitation facilities at the request of the Medical Officer of Health and/or Social & Public Health Services.

6.2.5 Community Planning & Development (Building) Support

Community Planning & Development support personnel, (Chief Building Official), may be required to advise the Emergency Control Group on matters related to the structural integrity and safety of buildings affected by an emergency including:

- Co-ordinating building inspection personnel to advise emergency services and the Emergency Control Group on the structural safety of buildings.
- Issuing any required building/ demolition permits to property owners during or following the emergency.
- Providing any other technical expertise to the Emergency Control Group regarding construction of buildings as required.

6.2.6 Public Works & Traffic Support

Public Works & Traffic support personnel may be required to advise General Manager, Transportation, Operations & Environment and the Emergency Control Group on matters related to:

- Ensuring the clearing of blocked passageways in co-ordination with the Emergency Site Co-ordinator if located inside or outside of the emergency perimeters.
- Ensuring the removal of rubble at the emergency site as directed by the Emergency Control Group.
- Providing any required staff and equipment for assisting emergency responders at the emergency site, or anywhere else in the municipality.

6.2.7 Transportation Services Support

Transportation Services support personnel may be required to advise General Manager, Transportation, Operations & Environment and the Emergency Control Group on matters related to:

- Providing engineering advice to the Emergency Control Group.
- Providing engineering advice and assistance to the Emergency Site Co-ordinator.
- Maintaining the integrity of the Regional road system.
- Assisting with evacuation proceedings at the direction of the Chief of Police and/or the Commissioner of Community Services.
- Co-ordinating the acquisition, distribution and scheduling of non-regional public and/or private transportation assets (e.g. school buses, special needs transportation, water or pump trucks, trains, helicopters, boats etc.) including qualified operators.

6.2.8 Business Information Systems Support

The Manager of Business Information Systems, may be required to advise the Emergency Control Group on matters related to the corporate computer network and any other computer support functions at the Emergency Operations Centre, as required.

6.2.9 Emergency Measures Ontario Liaison

An Emergency Measures Ontario Official (ie. South Central Area Officer) may be requested to act as a liaison between the municipality, Provincial government and/or Federal government, in the procurement of provincial and federal resources. The Area Officer may be requested to advise the Emergency Control Group on matters regarding general emergency measures practices in Ontario.

- ***NOTE: The Solicitor General must be notified through Emergency Measures Ontario immediately upon any emergency declaration made by the municipality.***

7.0 EMERGENCY SITE CO-ORDINATION

7.1 Operational Concept

During an emergency, emergency services personnel will congregate at the emergency site and work together to mitigate the effects of the emergency situation. In order to ensure that emergency site operations are conducted in an organized and co-ordinated manner, an Emergency Site Co-ordinator must be tasked with co-ordinating all site operations.

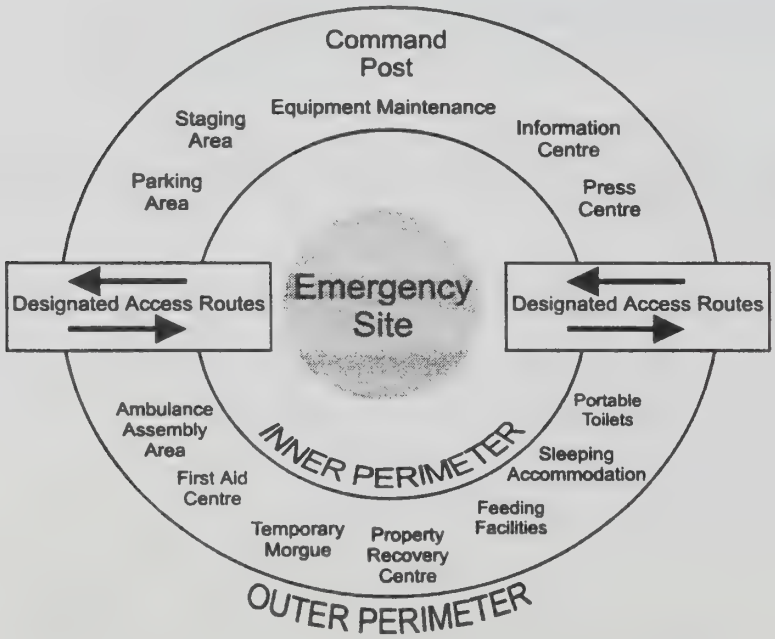
❖ ***Please Refer to Diagram 7.1 – The Emergency Site***

7.2 Emergency Site Co-ordinator

The Emergency Site Co-ordinator is appointed by the Hamilton Emergency Control Group, and is usually a Senior Officer from the lead emergency response agency. Once appointed, the Emergency Site Co-ordinator is no longer in command or part of their response agency for the duration of the emergency and/or their appointment.

At that time, he/she assumes responsibility for overall co-ordination of all operations at the emergency site, but not the command of any specific response organization. Each emergency response organization will have their own Commander or "Officer in Charge" at the emergency site, which will then liaise with the Emergency Site Co-ordinator as a member of the "Emergency Site Team."

Diagram 7.1 – The Emergency Site



7.3 Emergency Site Team

The Emergency Site Co-ordinator acts as the lead of the Emergency Site Team. The Emergency Site Team generally consists of:

- Emergency Site Co-ordinator;
- Alternate Emergency Site Co-ordinator, if required;
- On-Site Media Co-ordinator; and,
- All Emergency Response Service Commanders or "Officers in Charge".

7.4 Authorities of the Emergency Site Co-ordinator

The Emergency Site Co-ordinator has the authority to:

- Call meetings of the Emergency Site Team to share information, establish common goals, objectives and prioritize limited available resources where required;
- Mediate conflicts between emergency responders and to contact the City Manager at the Emergency Operations Centre if they are unable to resolve the issue;
- Request assistance from responding organizations and/or the Emergency Control Group for communications, resources and other site management tools; and,
- Request additional resources for the Emergency Site Team through the City Manager, and other members of the Emergency Control Group.

7.5 Responsibilities of the Emergency Site Co-ordinator

The Emergency Site Co-ordinator's responsibilities include, but are not limited to:

- Ensuring that priorities, tasks and tactics are established to contain and mitigate the emergency situation;
- Consulting and co-ordinating with on-site "Officers in Charge" to establish an inner and outer perimeter around the emergency site;
- Ensuring that all are aware of personnel, material and human resources available to mitigate the emergency situation;
- Maintaining a communications link with the City Manager at the Emergency Operations Centre;
- Appointing an On-Site Media Spokesperson, upon consultation with the City Manager, and the Emergency Control Group;
- Ensuring that all responsible organization commanders meet on a regular basis to update each other on individual organization actions and progress

made, to share information, to set common priorities, to set common objectives and determine what additional resources may be required; and,

- Understanding the laws and polices which may be considered during management or recovery of the emergency.

7.6 Emergency Site Co-ordination - Organization & Procedures

- ***A detailed Emergency Site Co-ordination - Organization & Procedures, is attached as Annex B to this Plan, and is maintained under separate cover.***

8.0 DECLARING AN EMERGENCY TO EXIST

Declaring an emergency to exist within the City of Hamilton is **not required,** prior to activation and implementation of this Emergency Plan, **nor** does it give the City any extraordinary powers that they are not already granted through activation of the Emergency Plan.

- ***An emergency declaration is not required prior to any municipal personnel taking actions under this plan to protect the lives, health, safety, and property of the inhabitants of the City of Hamilton.***

An emergency declaration however, may create greater understanding, and promote a sense of urgency to the public regarding the severity of an emergency situation. Therefore, an emergency declaration may be useful if the Emergency Control Group will be requesting the public to do something out of the ordinary, such as evacuate.

- ***An emergency declaration can often encourage greater public compliance, and understanding of the severity of an emergency situation.***

An emergency declaration **grants the City the power to protect volunteer emergency workers** under the provisions of the Workplace Safety and Insurance Board, (WSIB). By registering each volunteer participating in a "Declared Emergency", they are then considered "City Workers", and protected under the provisions of the WSIB. If an emergency situation requires the extensive use of volunteers, an emergency declaration will protect only those volunteers, **which are registered**, under WSIB.

- ***A Sample Volunteer Registration Form is attached as Appendix 5 to this Plan.***

8.1 Authority to Declare

Only the Mayor, (or the Acting Mayor), has the legislative authority, under the provisions of the Emergency Plans Act, to declare an "Emergency to Exist" within the boundaries of the City of Hamilton. The decision to declare an emergency to exist is made by the Mayor, preferably in consultation with the members of the Emergency Control Group. The Mayor does however, have the ultimate authority whether to make an emergency declaration.

❖ ***A "Sample" Emergency Declaration Format is attached as Appendix 6 to this Plan.***

✸ ***NOTE: The Premier of the Province of Ontario has the authority to declare an emergency to exist anywhere in the Province of Ontario, and the Chairman of the Region of Hamilton-Wentworth has the authority to declare an emergency to exist anywhere in the Region.***

8.2 Notice of Declaration

Upon making an emergency declaration, the Mayor with the assistance of the Municipal Clerk, must ensure that the following are immediately notified:

- ☑ Members of Hamilton City Council;
- ☑ Chairman of the Region of Hamilton-Wentworth;
- ☑ Solicitor General of Ontario, through Emergency Measures Ontario;
- ☑ Local Member(s) of Provincial Parliament (MPP);
- ☑ Local Member(s) of Federal Parliament (MP);
- ☑ Area Municipal Councils;
- ☑ Local media; and,
- ☑ The public.

9.0 TERMINATING AN EMERGENCY DECLARATION

Once emergency has subsided, usually as the result of an effective emergency response effort, an emergency declaration may no longer be required. The action of terminating an Emergency Declaration is required to advise that the emergency is over.

It may not always be clear when an emergency declaration is no longer required. Some may be reluctant to endorse terminating an emergency declaration, even once the emergency situation has subsided. Termination of an emergency declaration usually comes as the result of significant progress made through an effective and appropriate emergency response, resulting in a significant reduction in the severity of the emergency situation.

❖ ***A "Sample" Emergency Termination Format is attached as Appendix 7 to this Plan.***

9.1 Authority to Terminate

The following have the legislative authority under the provisions of the Emergency Plans Act, to terminate any emergency declaration made by the Mayor, or Acting Mayor, of the City of Hamilton:

- Mayor, (or acting Mayor);
- Hamilton City Council; and/or
- Premier of Ontario.

9.2 Notice of Termination

Upon termination of an emergency declaration, the Mayor with the assistance of the Municipal Clerk, must ensure that the following are immediately notified:

- ☑ Members of Hamilton City Council;
- ☑ Chairman of the Region of Hamilton-Wentworth;
- ☑ Solicitor General of Ontario, through Emergency Measures Ontario;
- ☑ Local Member(s) of Provincial Parliament (MPP);
- ☑ Local Member(s) of Federal Parliament (MP);
- ☑ Area Municipal Councils;
- ☑ Local media; and,
- ☑ The public.

10.0 OTHER ORGANIZATIONS

10.1 Conservation Authorities

Should a flood situation develop in the City, and an emergency be declared to exist, not only must the Ministry of the Solicitor General and Correctional Services be notified, but the Ministry of Natural Resources must be notified as well. Notifications to the Ministry of Natural Resources will be made by the Local Flood Co-ordinator for the City of Hamilton, (District Manager of the Ministry of Natural Resources for the effected area).

The following is taken from a memorandum to all municipalities dated January 19, 1988 concerning Declaration of Flood Emergencies and Flood Response Plans, (G. Tough, then Deputy Minister of Natural Resources and J.D. Takach, Deputy Solicitor General, Ministry of the Solicitor General).

Provincial response is designed to assist in combating floods once a municipality determines its resources are not adequate to deal effectively with the situation.

In flood emergencies, the Mayor may declare that an emergency exists within their municipality, and may request Provincial assistance from the Ministry of Natural Resources, through Emergency Measures Ontario, by the following procedure:

- The Mayor contacts the local Flood Response Co-ordinator. The local Co-ordinator is the District Manager of the Ministry of Natural Resources for the effected area.
- If the local Co-ordinator cannot be contacted, the request for assistance should be routed through the local Conservation Authority.
- If someone in authority cannot be contacted, then a request for assistance should be made through the Provincial Flood Emergency Co-ordinator. The Provincial Flood Emergency Co-ordinator is available on a 24 hour/365 day basis, and may be contacted through the local Ontario Provincial Police Detachment, or by calling the Queen's Park Central Switchboard at (416) 314-1090 and asking for the Provincial Flood Emergency Co-ordinator on-call.

10.2 Utility Suppliers

Public, Private and Provincial Utilities may be requested to assist during a City emergency, and to provide a representative to advise the Emergency Control

Group. Arrangements must be in place through their own Emergency Plans to co-ordinate and liaise with the Emergency Control Group regarding issues of mutual concern, and the potential disruption of any utility service.

✸ ***NOTE: A representative of the Hamilton Hydro-Electric System is a "mandatory notification" member of the Emergency Support Group.***

10.3 Ontario Provincial Police

If an emergency occurs on Provincial Highways within the City, Hamilton-Wentworth Regional Police will notify the Ontario Provincial Police. Any actions or responsibilities required of the OPP, would be co-ordinated by Hamilton-Wentworth Regional Police. The OPP may be required to provide a representative on the Emergency Control Group when requested, and/or provide a representative on the Emergency Site Team.

10.4 District School Boards / Boards of Education

Public and/or Private schools may be an excellent resource to be used during City emergencies. If there is need to evacuate residents, schools are generally the first choice for use as reception/ evacuation centres to temporarily shelter persons displaced by the emergency. It is the responsibility of the Social Services Department of Regional Social & Public Health Services, to co-ordinate, and liaise with the local School Boards / Boards of Education to ensure that agreements are in place to facilitate access to and the use of their facilities when and if required. These provisions are included in the Regional Social & Public Health Services, Emergency Measures Plan.

10.5 Hospital Administration

There are several Hospitals located within the City, administered by Hospital Corporations, which include:

- Hamilton Health Sciences Corporation;
- St. Joseph's Hospital & Community Health Centre;
- St. Peters Hospital; and,
- Hamilton Psychiatric Hospital.

During an emergency, each Hospital Corporation Administrator will be responsible for:

- Implementing their own internal Hospital Emergency Plan as required,

- Liaising with the Medical Officer of Health, and Ambulance Services Supervisor in the Emergency Operations Centre regarding issues of mutual concern,
- Evaluating any requests for the provision of emergency medical teams at the emergency site, and
- Liaising with the Ministry of Health where required.

10.6 Critical Incident Stress Debriefing

In the Region of Hamilton-Wentworth, it is the responsibility of Social & Public Health Services to provide Public Health Nurses and in addition to arranging for short term or long term counselling with contracted services to respond to the needs of the affected public, during and post emergency, as required. It is also the responsibility of Social and Public Health Services to arrange with qualified organizations, such as the Canadian Centre for Emergency Preparedness (CCEP), to provide Critical Incident Stress Debriefing Teams, if necessary.

The Province of Ontario also co-ordinates a Provincial Critical Incident Stress Management (CISM) Program. This program is managed through the Ministry of the Solicitor General and Correctional Services, Emergency Measures Ontario. For information on the Provincial CISM Program or to liaise with the CISM Team, contact Emergency Measures Ontario at (416) 314-3723.

11.0 REQUESTS FOR ASSISTANCE

11.1 Requesting Assistance

It is possible that assistance may be required by the City of Hamilton to help successfully respond to an emergency situation. Assistance can take many forms including, additional personnel, specialized materials, equipment, or specific expertise. This assistance may come from various sources, either within or outside of the City. Therefore, procedures must be in place for requesting assistance from:

- The Region of Hamilton-Wentworth;
- The Province of Ontario; and,
- The Federal Government.

11.2 From the Regional Municipality of Hamilton-Wentworth

If, in the opinion of the Emergency Control Group, the resources of the City are, or will become insufficient to control the emergency situation, then assistance may be requested from the Region of Hamilton-Wentworth. Requesting assistance from the Region **does not** in itself **relinquish control** of the emergency from the City to the Region. If Regional assistance is requested outside of normal departmental or service working arrangements, the Mayor will make the request to the Regional Chairman.

11.3 From the Province of Ontario

Where Provincial assistance is required, which is outside of normal departmental or service working arrangements, the request will be made to:

- ***Emergency Measures Ontario/ Ministry of the Solicitor General***
  Duty Manager at (416) 314-3723
  After Hours, OPP General Headquarters at (705) 329-6950

Provincial assistance can be obtained directly by the Emergency Control Group or through the Emergency Measures Ontario Liaison Officer, who **may** be present at the Emergency Operations Centre, if requested by the municipality. If the City makes the request directly to the Provincial Government, the City must be prepared to be **billed** for services rendered.

Other Provincial Ministries which may be requested to assist, or who may have certain duties to perform during emergencies are as follows:

11.3.1 Ministry of Community and Social Services

The Ministry of Community and Social Services deals with emergency sheltering, clothing, feeding, victim registration & inquiry services, and other humanitarian aid.

11.3.2 Ministry of the Environment

The Ministry of Environment deals with releases of hazardous materials to the natural environment and has regulations in place requiring notification of releases of hazardous materials.

11.3.3 Ministry of Health

The Ministry of Health deals with control of large scale and wide spread epidemics, pandemics, and emergency health/ medical provisions such as ambulance services.

11.3.4 Ministry of Labour

The Ministry Labour deals with, emergency worker health and safety. The Ministry of Labour may be notified if an Emergency Declaration is made by the City of Hamilton.

11.3.5 Ministry of Municipal Affairs and Housing

The Ministry of Municipal Affairs and Housing deals with the co-ordination of extraordinary Provincial expenditures for emergency relief, under the provisions of the Ontario Disaster Assistance Program (ODRAP).

11.3.6 Ministry of Natural Resources

The Ministry of Natural Resources deals with controlling forest fires and flooding. The Ministry of Natural Resources will be notified if an Emergency Declaration is made by the City of Hamilton in response to flooding type emergency.

11.3.7 Ministry of the Solicitor General & Correctional Services

The Ministry of Solicitor General & Correctional Services deals with the co-ordination of Provincial Emergency Measures functions, Provincial jurisdiction over peacetime emergencies and wartime emergencies. The Ministry of the Solicitor General & Correctional Services, (through Emergency Measures

Ontario), will be notified if an Emergency Declaration is made by the City of Hamilton.

11.3.8 Ministry of Transportation

The Ministry of Transportation maintains Provincial Highways, and other transportation services.

11.3.9 Ministry of Energy, Science and Technology

The Ministry of Energy, Science and Technology deals with emergency energy supply matters.

11.4 From the Federal Government

Where Federal assistance is required outside of normal departmental or service working arrangements, any request for assistance **must** be made to the Federal Government Agency through Emergency Measures Ontario. This includes any request for assistance from CDN Forces.

12.0 EMERGENCY PUBLIC INFORMATION

12.1 Operational Concept

During an emergency it is essential that the City be able to co-ordinate the release of appropriate and factual information through the media to the public. This information may include issuing authoritative public action directives, responding to and/or redirecting requests for information from or to the public regarding any aspect of the emergency. In order to accomplish this, an Emergency Public Information Team should be established, and be headed by the Emergency Public Information Co-ordinator.

12.2 Emergency Public Information Team

The Emergency Public Information Team generally consists of the following positions, which operate according to the provision of the Emergency Public Information Plan:

- Emergency Public Information Co-ordinator
- Municipal Media Spokesperson
- On-Site Media Spokesperson(s)
- Public Inquiry Supervisor

12.3 Emergency Public Information Co-ordinator

The Emergency Public Information Co-ordinator is responsible for co-ordination of all media related functions and operations out of the Emergency Operations Centre.

- ***The individual responsibilities of the Emergency Public Information Co-ordinator are listed in Section 5 of this Plan – Emergency Support Group.***

12.4 Municipal Media Spokesperson

The lead Municipal spokesperson will always be the Mayor, (or Acting Mayor), of the City of Hamilton. He/she has the responsibility and authority to speak to the media on behalf of the City regarding any and all aspects of the emergency situation and municipal emergency operations. The Municipal Spokesperson will co-ordinate all media releases with the Emergency Public Information Co-ordinator and the City Manager, out of the Emergency Operations Centre. All media briefings will be conducted out of a "Media Centre" located at one of the

three following locations, depending upon which Emergency Operations Centre is in use, and if the direct access to local television is desired.

❖ ***The designated Media Centres are as follows:***

- Macassa Lodge Auditorium, (when the Primary EOC is in use);
- Theatre Aquarius, (when the Alternate EOC is in use); or,
- Hamilton City Council Chambers, (when the direct access to local television is required).

12.5 On-Site Media Spokesperson

The On Site Media Spokesperson will be appointed by the Emergency Site Co-ordinator upon consultation with the City Manager, and the Emergency Control Group. The Senior Communications Officer from the lead emergency response agency will usually fill this position. The On-Site Media Spokesperson must have experience dealing with the media, and not be in direct command over any emergency site operations.

The On-Site Media Spokesperson's individual responsibilities include, but are not limited to:

- Presenting the media with accurate, factual and approved information;
- Co-ordinating media tours of the emergency site as appropriate;
- Liaising with the Emergency Public Information Co-ordinator and the City Manager in the Emergency Operations Centre, regarding the nature of public inquiries, and what information to present to the public; and,
- Ensuring that all areas of the emergency site (where the media are and are not allowed to be) are controlled through co-ordination with Regional Police staff providing the emergency site security.

12.6 Public Inquiry Supervisor

The Public Inquiry Supervisor is tasked with the establishment and management of a Public Inquiry Bureau, during City emergencies. The Public Inquiry Supervisor is also responsible for:

- Establishing a Public Inquiry Bureau, including designating staff and Public Inquiry telephone lines, at Hamilton City Hall, or co-ordinating this service at other locations as required.
- Informing the Emergency Public Information Co-ordinator regarding of the establishment of the Public Inquiry Bureau and the designated Public Inquiry telephone numbers.

- Continually liaising with the Emergency Public Information Co-ordinator to obtain current information on the emergency.
- Responding to, and redirecting inquiries and reports from the public based upon information from the Emergency Public Information Co-ordinator, as approved by the City Manager and the Mayor.
- Responding to, and redirecting inquiries pertaining to the investigation of the emergency, deaths, injuries or matters of personnel involved with or affected by the emergency to the appropriate emergency service or agency.
- Responding to, and redirecting inquiries pertaining to persons who may be located in any municipal reception/evacuation centres, to the registration and inquiry telephone number(s) at the appropriate Red Cross Branch Headquarters, or at the reception/evacuation centre, as designated by the Emergency Control Group

12.7 Emergency Public Information Plan

- ***The Emergency Public Information Plan is attached as Annex C to this Plan, and is maintained under separate cover.***

13.0 PLAN MAINTENANCE & TESTING

13.1 Plan Maintenance

The Emergency Planning Officer is responsible for maintaining this Emergency Plan.

13.1.1 Annual Review

Any proposed changes to this Emergency Plan will be submitted to the Emergency Planning Officer. All proposed changes to this Emergency Plan will be presented for review to the Emergency Control Group. Each review will be co-ordinated by the Emergency Planning Officer, and conducted prior to the end of each calendar year.

13.1.2 Major Revisions

Any proposed major revision to this Emergency Plan must be presented to the Hamilton Emergency Control Group. Major revisions to this Plan will only be approved through a recommendation of the Emergency Control Group, and may be presented to Hamilton City Council, at the direction of the Emergency Control Group.

13.1.3 Minor Revisions

Minor revisions to this Emergency Plan will be co-ordinated by the Emergency Planning Officer, and may be brought before the Emergency Control Group.

13.1.4 Emergency Notification Form

The Emergency Notification Form attached as Appendix 2 of this plan, will be reviewed every three months to ensure the information is kept accurate and up to date.

13.2 Plan Distribution

If any major revisions are made to this Emergency Plan, the amended plan may be reprinted and re-circulated in its entirety, and distributed according to the "Distribution List" attached as Appendix 9 to this plan.

If any minor revisions are made to this Emergency Plan, notice of the amendment and any other required changes, will be distributed according to the "Distribution List" attached as Appendix 9 to this plan.

13.3 Agency Responsibility

It is the responsibility of each organization and department noted within this Emergency Plan to inform the Emergency Planning Officer regarding any changes, revisions or additions affecting the contents of this Emergency Plan or any appendices.

13.4 Testing the Emergency Plan

This Emergency Plan will be tested on a regular basis to ensure that the contents remain current and up to date.

13.4.1 Annual Exercise

The Emergency Plan will be tested a minimum of once annually using exercises. Exercises will be designed and co-ordinated by the Emergency Planning Officer to accomplish the following:

- Test the effectiveness of the emergency plan;
- Train municipal emergency personnel; and/or,
- Test any other component of the Emergency Preparedness Program.

13.4.2 Telecommunications Exercise

A Telecommunications Exercise will be conducted a minimum of every two years. Telecommunications Exercises will be designed and conducted by the Emergency Planning Officer in co-operation with the Telecommunications Co-ordinator, and representatives of various departments and organizations.

13.4.3 Field Exercise

A Field Exercise will be conducted on an "as required basis" at the direction of the Emergency Control Group.

13.4.4 Testing the Emergency Notification Procedure

The Emergency Notification Procedure will be exercised at least twice annually using the "Exercise Contact" procedure attached as Appendix 7 of this plan. Regional Police Communications Staff will conduct these exercises, at the direction of the Emergency Planning Officer.

* ***These exercises may be conducted without any prior notice, but will be conducted within reasonable time frames.***

13.5 Maintaining Telecommunications Equipment & Training

All telecommunications equipment will be maintained on a regular basis to ensure its operation in the event of a municipal emergency.

13.5.1 Voice Telecommunications Equipment

The emergency voice telecommunications equipment will be maintained by the Telecommunications Co-ordinator on a regular basis, according to his/her own internal maintenance schedule.

13.5.2 Portable Voice Radio Training

Portable voice radio training for all Emergency Operations Centre Staff, will be co-ordinated by the Emergency Planning Officer, in co-operation with the Telecommunications Co-ordinator, and conducted on an as required basis to ensure that all EOC staff know how use the voice radio equipment properly.

13.6 Internal Organization Plans & Procedures

Each organization involved with municipal emergency response should prepare functional emergency procedures, outlining their operations and responsibilities during a municipal emergency. This emergency procedure will be maintained internally by a staff member of each organization.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 14-Jun-99

REPORT TO: Chairman and Members
Finance and Administration Committee

FROM: Allan C. Ross
General Manager, Finance

SUBJECT: Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners as outlined in Schedule "A" to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994;

(b) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

(c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the General Manager, Finance should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

During the initial months of this repayment option it has been ascertained that operational time constraints, e.g. writing of reports, council approvals, make it necessary to have the authorization to enter into these extension agreements pre-approved. Accordingly, in the month that the legislated final notices for the tax registration process are mailed out (280 days from the registration date), a listing of all those properties for which the owners may wish to enter into an extension agreement will be forwarded to Committee and Council for approval. Owners who show an interest in entering into an extension agreement with the City prior to the mailing of the final notices, will be added to the monthly reports required.

/WDD

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.99-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1999, A.D.,

MUNICIPAL CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

1)	PROPERTY ADDRESS	72 RAY ST. S.
	SERIAL NUMBER	01 00940 5160
	REDEMPTION DATE	SEPTEMBER 9, 1999
2)	PROPERTY ADDRESS	219 EAST 13TH
	SERIAL NUMBER	07 08110 7400
	REDEMPTION DATE	NOVEMBER 26, 1999
3)	PROPERTY ADDRESS	130 SIMCOE ST. E.
	SERIAL NUMBER	02 01620 0790
	REDEMPTION DATE	SEPTEMBER 9, 1999
4)	PROPERTY ADDRESS	346 GUELPH ST.
	SERIAL NUMBER	05 03850 8310
	REDEMPTION DATE	SEPTEMBER 9, 1999
5)	PROPERTY ADDRESS	38 MYRTLE AVE.
	SERIAL NUMBER	03 02420 2810
	REDEMPTION DATE	SEPTEMBER 9, 1999
6)	PROPERTY ADDRESS	145 RICE AVE
	SERIAL NUMBER	08 10710 5190
	REDEMPTION DATE	September 9, 1999
7)	PROPERTY ADDRESS	1320 BARTON ST. E.
	SERIAL NUMBER	04 03145 9300
	REDEMPTION DATE	NOVEMBER 26, 1999
8)	PROPERTY ADDRESS	61 JOHN ST. S.
	SERIAL NUMBER	02 01445 6270
	REDEMPTION DATE	JANUARY 5, 2000
9)	PROPERTY ADDRESS	455 MELVIN AVE.
	SERIAL NUMBER	05 04920 5060
	REDEMPTION DATE	SEPTEMBER 9, 1999
10)	PROPERTY ADDRESS	458 EAST 38TH ST.
	SERIAL NUMBER	07 06320 5690
	REDEMPTION DATE	SEPTEMBER 9, 1999
11)	PROPERTY ADDRESS	180 LIMERIDGE RD. W. #206
	SERIAL NUMBER	08 09840 0512
	REDEMPTION DATE	SEPTEMBER 15, 1999
12)	PROPERTY ADDRESS	7 ROWANWOOD ST.
	SERIAL NUMBER	04 02880 4640
	REDEMPTION DATE	SEPTEMBER 15, 1999
13)	PROPERTY ADDRESS	585 CORBETT ST.
	SERIAL NUMBER	05 05010 4720
	REDEMPTION DATE	SEPTEMBER 15, 1999
14)	PROPERTY ADDRESS	196 SHERMAN AVE. S.
	SERIAL NUMBER	03 02460 7950
	REDEMPTION DATE	NOVEMBER 26 1999
15)	PROPERTY ADDRESS	226 PICTON ST. E.
	SERIAL NUMBER	02 01710 3960
	REDEMPTION DATE	NOVEMBER 26, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16)	PROPERTY ADDRESS	51 BRISTOL ST.
	SERIAL NUMBER	03 02370 0760
	REDEMPTION DATE	SEPTEMBER 29, 1999
17)	PROPERTY ADDRESS	77 BEACH BLVD.
	SERIAL NUMBER	05 05140 4330
	REDEMPTION DATE	SEPTEMBER 29, 1999
18)	PROPERTY ADDRESS	7 PATRICK ST.
	SERIAL NUMBER	02 01435 2950
	REDEMPTION DATE	NOVEMBER 26, 1999
19)	PROPERTY ADDRESS	44 EVANS ST.
	SERIAL NUMBER	03 02130 7740
	REDEMPTION DATE	SEPTEMBER 29, 1999
20)	PROPERTY ADDRESS	175 HUNTER ST. E. #203
	SERIAL NUMBER	02 01445 0500
	REDEMPTION DATE	September 29 ,1999
21)	PROPERTY ADDRESS	72 BIRCH AVE.
	SERIAL NUMBER	03 02345 4010
	REDEMPTION DATE	SEPTEMBER 29, 1999
22)	PROPERTY ADDRESS	515 MAIN ST. E. #16
	SERIAL NUMBER	03 02310 1177
	REDEMPTION DATE	SEPTEMBER 29, 1999
23)	PROPERTY ADDRESS	515 MAIN ST. E. #3
	SERIAL NUMBER	03 02310 1192
	REDEMPTION DATE	SEPTEMBER 29, 1999
24)	PROPERTY ADDRESS	515 MAIN ST. E. #12
	SERIAL NUMBER	03 02310 1201
	REDEMPTION DATE	SEPTEMBER 29, 1999
25)	PROPERTY ADDRESS	515 MAIN ST. E. #1
	SERIAL NUMBER	03 02310 1171
	REDEMPTION DATE	SEPTEMBER 29, 1999
26)	PROPERTY ADDRESS	16 GIBSON AVE.
	SERIAL NUMBER	003 02350 5050
	REDEMPTION DATE	OCTOBER 6, 1999
27)	PROPERTY ADDRESS	399 MARY ST.
	SERIAL NUMBER	02 01660 4970
	REDEMPTION DATE	OCTOBER 6, 1999
28)	PROPERTY ADDRESS	75 FRANCIS ST.
	SERIAL NUMBER	03 02220 4920
	REDEMPTION DATE	OCTOBER 6, 1999
29)	PROPERTY ADDRESS	192 KENSINGTON AVE. N.
	SERIAL NUMBER	04 02840 6950
	REDEMPTION DATE	OCTOBER 6, 1999
30)	PROPERTY ADDRESS	210 KENILWORTH AVE. N.
	SERIAL NUMBER	04 03310 1330
	REDEMPTION DATE	NOVEMBER 16, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31)	PROPERTY ADDRESS	39 STANLEY AVE.
	SERIAL NUMBER	01 00930 3550
	REDEMPTION DATE	NOVEMBER 16, 1999
32)	PROPERTY ADDRESS	161 WENTWORTH ST. N.
	SERIAL NUMBER	03 02180 7130
	REDEMPTION DATE	NOVEMBER 16, 1999
33)	PROPERTY ADDRESS	30 DELAWARE AVE.
	SERIAL NUMBER	03 02420 6170
	REDEMPTION DATE	NOVEMBER 16, 1999
34)	PROPERTY ADDRESS	259 JOHN ST. S.
	SERIAL NUMBER	02 01420 2590
	REDEMPTION DATE	NOVEMBER 16, 1999
35)	PROPERTY ADDRESS	215 WEXFORD AVE. S.
	SERIAL NUMBER	04 03040 7170
	REDEMPTION DATE	NOVEMBER 16, 1999
36)	PROPERTY ADDRESS	207 BEACH BLVD.
	SERIAL NUMBER	05 05140 3400
	REDEMPTION DATE	NOVEMBER 16, 1999
37)	PROPERTY ADDRESS	90 GERTRUDE ST.
	SERIAL NUMBER	04 02880 0700
	REDEMPTION DATE	NOVEMBER 16,1999
38)	PROPERTY ADDRESS	118 STEVEN ST.
	SERIAL NUMBER	03 02140 5390
	REDEMPTION DATE	NOVEMBER 16, 1999
39)	PROPERTY ADDRESS	22 QUINLAN CRT.
	SERIAL NUMBER	06 07010 3145
	REDEMPTION DATE	NOVEMBER 16, 1999
40)	PROPERTY ADDRESS	733 KING ST. E.
	SERIAL NUMBER	03 02325 6230
	REDEMPTION DATE	DECEMBER 12, 1999
41)	PROPERTY ADDRESS	186 TOLTON AVE.
	SERIAL NUMBER	05 03820 3910
	REDEMPTION DATE	JANUARY 19, 2000
42)	PROPERTY ADDRESS	297 WEST 18TH
	SERIAL NUMBER	08 09810 5840
	REDEMPTION DATE	JANUARY 5, 2000
43)	PROPERTY ADDRESS	68 HILLYARD ST.
	SERIAL NUMBER	03 02240 5380
	REDEMPTION DATE	JANUARY 5, 2000
44)	PROPERTY ADDRESS	325 BARTON ST. E.
	SERIAL NUMBER	03 02150 6290
	REDEMPTION DATE	JANUARY 5, 2000
45)	PROPERTY ADDRESS	43 ROWENA CRT.
	SERIAL NUMBER	06 07010 4736
	REDEMPTION DATE	JANUARY 5, 2000
46)	PROPERTY ADDRESS	188 CANNON ST. E.
	SERIAL NUMBER	02 01820 6200
	REDEMPTION DATE	JANUARY 5, 2000

SCHEDULE "A"
EXTENSION AGREEMENTS

47) PROPERTY ADDRESS	210 BURLINGTON ST. E.
SERIAL NUMBER	02 01710 7820
REDEMPTION DATE	JANUARY 5, 2000
48) PROPERTY ADDRESS	274 LAKE AVE. N.
SERIAL NUMBER	05 04810 7780
REDEMPTION DATE	JANUARY 5, 2000

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1999 June 21

REPORT TO: Chairman and Members
Finance and Administration Committee

FROM: Auditor Selection Committee

SUBJECT: Appointment of External Auditor

RECOMMENDATION:

(a) That the firm of KPMG, Chartered Accountants, be appointed as municipal auditor for the City of Hamilton, including its Local Boards, Hamilton Entertainment and Convention facilities, Inc., Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, Municipal Non-Profit (Hamilton) Housing Corporation, Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc. and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton for the year 1999 at the fee of $89,400 (inclusive of expenses, exclusive of GST).

(b) That the necessary By-law be passed and enacted by City Council.

Mayor Glen Etherington
Chairman, Auditor Selection Committee

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As proposed by the firm of KPMG, Chartered Accountants, the 1999 audit fee for the City of Hamilton, Local Boards, the Hamilton Hydro Electric System and all affiliated organizations amounts to $89,400, (inclusive of expenses, exclusive of GST). This is based on the firm being awarded the audits of both the City of Hamilton and the Regional Municipality of Hamilton-Wentworth. The amount is a reduction of $25,265 (22% decrease) over the fee approved by City Council for the 1998 year.

BACKGROUND:

On April 27, 1999, City Council approved the issuance of a Request for Proposal for external audit services for a five year term commencing with fiscal 1999, renewable annually after the completion of the financial statement audit. As a result of that proposal call, five responses were received. One was disqualified for failure to include required documentation. The remaining four proposals were reviewed by staff and three firms were short-listed to make presentations to the joint Auditor Selection Committee consisting of two appointees from the City of Hamilton, Aldermen O'Sullivan and Collins, two appointees from the Region, Mayor Etherington and Councillor Charters, the General Manager of Finance (and his designate) and the Internal Auditor. Following the presentations, the Auditor Selection Committee decided that two firms, KPMG and Ernst & Young, could equally service the corporation. The proposals were generally comparable and both firms appeared equally strong in reputation, technical experience and responsiveness to the terms of reference of the RFP. The difference in fees over the proposed five year term was inconsequential. Further discussions were held and a check of the references provided by the firms was completed.

In the spirit of the amalgamation of the administrations of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth into a new organization, it may be beneficial to have a set of "new eyes" with no prior direct audit involvement with either organization provide a fresh perspective. In addition, the local office of KPMG, which would be responsible for the audit of the City of Hamilton, includes the Regional Municipalities of Halton and Niagara, the City of Burlington and the towns of Ancaster and Flamborough among its clients. Thus, the Auditor Selection Committee recommends KPMG.

The proposed fees for the City of Hamilton audit have decreased approximately 22% from the prior year, mainly due to savings to be realized by the same audit firm completing the audits of both the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

CITY OF HAMILTON

INFORMATION

DATE: 1999 June 25

REPORT TO: Susan Reeder, Secretary
Finance & Administration Committee

FROM: Lee Ann Coveyduck, General Manager
Community Planning & Development Division

SUBJECT: Licensed Parking Lots - Enforcement of New Standards
(99.2.4.2.1.A) (PDC-99032)

BACKGROUND:

In the spring of 1998, Council at a Committee of the Whole meeting, directed staff to look at ways to improve the appearance of parking lots in the downtown area.

In response to these concerns, Building Department staff compiled an inventory of all licensed parking lots. From the inventory and site inspections, it was determined that controls were necessary for paving, drainage, wheel stops, weeds, litter control, fencing, landscaping, lighting, and use of the road allowance.

On 1998 June 30, City Council passed an amendment to the licensing by-law which legislated new requirements for all public licensed parking lots. The new requirements matched the standards already in the zoning by-law, which applied to any new parking lot. At the time of the passing of the regulation, a one-year delay in applying the requirements was approved.

In 1999 March, the Building Department sent formal notification to all licensed parking lot owners and operators that new regulations were about to become effective 1999 June 30. Licence Inspectors began site inspections and Orders and Notices were sent to owners and operators. Of the forty-nine private parking lots inspected to date, the following deficiencies have been identified.

- Lack of paving - about 20% are graveled
- Lack of onsite drainage control
- Absence of planting strips and landscaping
- Lack of lighting
- Use of road allowance for parking

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After the Building Department began to issue Notices of Non-Compliance, parking lot owners and operators raised concerns to Mayor Morrow pertaining to the effect of the by-law. On 1999 May 12, a meeting was held in the Mayor's Office with Aldermen Corsini and Horwath and a number of parking lot owners to discuss these concerns about the implementation of the by-law requirements. Their concerns were as follows:

- Cost of providing paving, drainage, and landscaping.
- Loss of parking spaces due to landscaping.
- Loss of parking spaces if road allowance encroachment not permitted.
- Gravel should be permitted.
- Lighting levels too difficult to achieve.
- Maintenance of landscaping too difficult due to vandalism and lack of water.
- Implementation date too soon.
- Most lots are only temporary and standards should be reduced.
- Cost of requirements difficult to recover due to low parking rates.

On 1999 May 18, Mayor Morrow raised the owners' concerns at the City Finance and Administration Committee meeting. The Committee agreed that staff be requested to determine the operators' concerns and to report back at the 1999 July 6 Committee of the Whole meeting.

Staff met with the parking lot owners and operators on two occasions, 1999 June 6 and June 22 to discuss concerns and solutions. The meetings have identified the following issues respecting the by-law requirements:

- Landscaping is expensive, difficult to maintain, and reduces the number of parking spaces.
- Paving requirement is expensive and not economically feasible.
- Use of the road allowance is necessary, otherwise it results in reductions of parking spaces.
- Requirements for new parking lots are acceptable, however, for existing lots the standards are too high.

To clearly understand the impact of the requirements 3 separate downtown parking lots were examined in detail.

a) 180 Main Street West -- existing lot contains 200 parking spaces. Landscaping will eliminate 29 spaces and preventing parking on the road allowance will eliminate another 30 spaces. The parking surface currently encroaches about 8' onto the road allowance.

.../3

b) 181 Main Street East/130 King Street East -- this is a newly established parking lot with 112 parking spaces. Compliance with the requirements would reduce the parking to 78 spaces.

c) 284 King Street East -- existing lot contains 86 parking spots. A total of 32 spaces would be lost mainly due to landscaping.

LOT	EXISTING PARKING SPACES	SPACES ELIMINATED BY BY-LAW	% OF REDUCTION
1	200	59	29.5%
2	112	34	30.0%
3	86	32	37.0%

After discussing the problems and concerns, the owners and operators have proposed the following solutions:

For immediate action:

- Provide a mechanism for obtaining variances from the by-law requirement.
- Extend the time for compliance to 2000 June 30.
- Form a task force to continue discussions comprised of two Aldermen, four owners/operators, and required staff.
- Extend the time for plot plan submission to 1999 October 1.

For examination and review:

- Each site should be examined individually on its own merit to see what standards can be applied.
- Allow individual trees instead of landscaping strips.
- Allow hard landscaping to minimize maintenance. (NB: By-law currently only requires 50% to be natural planting.)
- Allow the use of "dead areas" for landscaping (areas which cannot be utilized for parking such as corners).
- Allow the use of the road allowance for required landscaping.
- Develop an equivalent percentage of the lot instead of a 2m strip for required landscaping,
- Allow the use of planter boxes on poles and barriers as landscaping.
- Allow the use of the road allowance for parking spaces subject to an encroachment agreement.

.../4

- Recognize parking lots as a temporary use only and not impose such stringent standards.
- Develop a landscaping ratio based on lot size.

SUMMARY

The meetings with parking lot owners and operators have been fruitful in identifying their concerns and the problems with complying with the standards of the by-law. A number of owner/operators stated that implementation of the standards would seriously affect the economic viability of their business.

LAC/LCK/PCL/dm

22(a)

Bill D-23

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.99-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and Municipal Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 6 th day of July 1999, A.D.,

MUNICIPAL CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

1) PROPERTY ADDRESS	72 RAY ST. S.
SERIAL NUMBER	01 00940 5160
REDEMPTION DATE	SEPTEMBER 9, 1999
2) PROPERTY ADDRESS	219 EAST 13TH
SERIAL NUMBER	07 08110 7400
REDEMPTION DATE	NOVEMBER 26, 1999
3) PROPERTY ADDRESS	130 SIMCOE ST. E.
SERIAL NUMBER	02 01620 0790
REDEMPTION DATE	SEPTEMBER 9, 1999
4) PROPERTY ADDRESS	346 GUELPH ST.
SERIAL NUMBER	05 03850 8310
REDEMPTION DATE	SEPTEMBER 9, 1999
5) PROPERTY ADDRESS	38 MYRTLE AVE.
SERIAL NUMBER	03 02420 2810
REDEMPTION DATE	SEPTEMBER 9, 1999
6) PROPERTY ADDRESS	145 RICE AVE
SERIAL NUMBER	08 10710 5190
REDEMPTION DATE	September 9, 1999
7) PROPERTY ADDRESS	1320 BARTON ST. E.
SERIAL NUMBER	04 03145 9300
REDEMPTION DATE	NOVEMBER 26, 1999
8) PROPERTY ADDRESS	61 JOHN ST. S.
SERIAL NUMBER	02 01445 6270
REDEMPTION DATE	JANUARY 5, 2000
9) PROPERTY ADDRESS	455 MELVIN AVE.
SERIAL NUMBER	05 04920 5060
REDEMPTION DATE	SEPTEMBER 9, 1999
10) PROPERTY ADDRESS	458 EAST 38TH ST.
SERIAL NUMBER	07 06320 5690
REDEMPTION DATE	SEPTEMBER 9, 1999
11) PROPERTY ADDRESS	180 LIMERIDGE RD. W. #206
SERIAL NUMBER	08 09840 0512
REDEMPTION DATE	SEPTEMBER 15, 1999
12) PROPERTY ADDRESS	7 ROWANWOOD ST.
SERIAL NUMBER	04 02880 4640
REDEMPTION DATE	SEPTEMBER 15, 1999
13) PROPERTY ADDRESS	585 CORBETT ST.
SERIAL NUMBER	05 05010 4720
REDEMPTION DATE	SEPTEMBER 15, 1999
14) PROPERTY ADDRESS	196 SHERMAN AVE. S.
SERIAL NUMBER	03 02460 7950
REDEMPTION DATE	NOVEMBER 26 1999
15) PROPERTY ADDRESS	226 PICTON ST. E.
SERIAL NUMBER	02 01710 3960
REDEMPTION DATE	NOVEMBER 26, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16) PROPERTY ADDRESS	51 BRISTOL ST.
SERIAL NUMBER	03 02370 0760
REDEMPTION DATE	SEPTEMBER 29, 1999
17) PROPERTY ADDRESS	77 BEACH BLVD.
SERIAL NUMBER	05 05140 4330
REDEMPTION DATE	SEPTEMBER 29, 1999
18) PROPERTY ADDRESS	7 PATRICK ST.
SERIAL NUMBER	02 01435 2950
REDEMPTION DATE	NOVEMBER 26, 1999
19) PROPERTY ADDRESS	44 EVANS ST.
SERIAL NUMBER	03 02130 7740
REDEMPTION DATE	SEPTEMBER 29, 1999
20) PROPERTY ADDRESS	175 HUNTER ST. E. #203
SERIAL NUMBER	02 01445 0500
REDEMPTION DATE	September 29 ,1999
21) PROPERTY ADDRESS	72 BIRCH AVE.
SERIAL NUMBER	03 02345 4010
REDEMPTION DATE	SEPTEMBER 29, 1999
22) PROPERTY ADDRESS	515 MAIN ST. E. #16
SERIAL NUMBER	03 02310 1177
REDEMPTION DATE	SEPTEMBER 29, 1999
23) PROPERTY ADDRESS	515 MAIN ST. E. #3
SERIAL NUMBER	03 02310 1192
REDEMPTION DATE	SEPTEMBER 29, 1999
24) PROPERTY ADDRESS	515 MAIN ST. E. #12
SERIAL NUMBER	03 02310 1201
REDEMPTION DATE	SEPTEMBER 29, 1999
25) PROPERTY ADDRESS	515 MAIN ST. E. #1
SERIAL NUMBER	03 02310 1171
REDEMPTION DATE	SEPTEMBER 29, 1999
26) PROPERTY ADDRESS	16 GIBSON AVE.
SERIAL NUMBER	003 02350 5050
REDEMPTION DATE	OCTOBER 6, 1999
27) PROPERTY ADDRESS	399 MARY ST.
SERIAL NUMBER	02 01660 4970
REDEMPTION DATE	OCTOBER 6, 1999
28) PROPERTY ADDRESS	75 FRANCIS ST.
SERIAL NUMBER	03 02220 4920
REDEMPTION DATE	OCTOBER 6, 1999
29) PROPERTY ADDRESS	192 KENSINGTON AVE. N.
SERIAL NUMBER	04 02840 6950
REDEMPTION DATE	OCTOBER 6, 1999
30) PROPERTY ADDRESS	210 KENILWORTH AVE. N.
SERIAL NUMBER	04 03310 1330
REDEMPTION DATE	NOVEMBER 16, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31) PROPERTY ADDRESS	39 STANLEY AVE.
SERIAL NUMBER	01 00930 3550
REDEMPTION DATE	NOVEMBER 16, 1999
32) PROPERTY ADDRESS	161 WENTWORTH ST. N.
SERIAL NUMBER	03 02180 7130
REDEMPTION DATE	NOVEMBER 16, 1999
33) PROPERTY ADDRESS	30 DELAWARE AVE.
SERIAL NUMBER	03 02420 6170
REDEMPTION DATE	NOVEMBER 16, 1999
34) PROPERTY ADDRESS	259 JOHN ST. S.
SERIAL NUMBER	02 01420 2590
REDEMPTION DATE	NOVEMBER 16, 1999
35) PROPERTY ADDRESS	215 WEXFORD AVE. S.
SERIAL NUMBER	04 03040 7170
REDEMPTION DATE	NOVEMBER 16, 1999
36) PROPERTY ADDRESS	207 BEACH BLVD.
SERIAL NUMBER	05 05140 3400
REDEMPTION DATE	NOVEMBER 16, 1999
37) PROPERTY ADDRESS	90 GERTRUDE ST.
SERIAL NUMBER	04 02880 0700
REDEMPTION DATE	NOVEMBER 16,1999
38) PROPERTY ADDRESS	118 STEVEN ST.
SERIAL NUMBER	03 02140 5390
REDEMPTION DATE	NOVEMBER 16, 1999
39) PROPERTY ADDRESS	22 QUINLAN CRT.
SERIAL NUMBER	06 07010 3145
REDEMPTION DATE	NOVEMBER 16, 1999
40) PROPERTY ADDRESS	733 KING ST. E.
SERIAL NUMBER	03 02325 6230
REDEMPTION DATE	DECEMBER 12, 1999
41) PROPERTY ADDRESS	186 TOLTON AVE.
SERIAL NUMBER	05 03820 3910
REDEMPTION DATE	JANUARY 19, 2000
42) PROPERTY ADDRESS	297 WEST 18TH
SERIAL NUMBER	08 09810 5840
REDEMPTION DATE	JANUARY 5, 2000
43) PROPERTY ADDRESS	68 HILLYARD ST.
SERIAL NUMBER	03 02240 5380
REDEMPTION DATE	JANUARY 5, 2000
44) PROPERTY ADDRESS	325 BARTON ST. E.
SERIAL NUMBER	03 02150 6290
REDEMPTION DATE	JANUARY 5, 2000
45) PROPERTY ADDRESS	43 ROWENA CRT.
SERIAL NUMBER	06 07010 4736
REDEMPTION DATE	JANUARY 5, 2000
46) PROPERTY ADDRESS	188 CANNON ST. E.
SERIAL NUMBER	02 01820 6200
REDEMPTION DATE	JANUARY 5, 2000

SCHEDULE "A"
EXTENSION AGREEMENTS

47) PROPERTY ADDRESS	210 BURLINGTON ST. E.
SERIAL NUMBER	02 01710 7820
REDEMPTION DATE	JANUARY 5, 2000
48) PROPERTY ADDRESS	274 LAKE AVE. N.
SERIAL NUMBER	05 04810 7780
REDEMPTION DATE	JANUARY 5, 2000

Bill No. D-24

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-

22(b)

To Repeal By-law Nos. 86-164 and 94-187:

And to Enact a By-law respecting

THE EMERGENCY PLAN
FOR THE CORPORATION OF THE CITY OF HAMILTON

WHEREAS Section 3 of the *Emergency Plans Act*, R.S.O. 1990, Chapter E.9. provides as follows:

3(1) The council of a municipality may pass a by-law formulating or providing for the formulation of an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other person will respond to the emergency.

(2) A by-law under subsection (1) may provide for money associated with the formulation and implementation of the emergency plan.

(3) The council of a county may with the consent of the councils of the municipalities situated within the county co-ordinate and assist in the formulation of their emergency plans under subsection (1).

(4) The Lieutenant Governor in Council may designate municipalities that shall have an emergency plan respecting the type of emergency specified in the designation and, where so designated, a municipality shall formulate or provide for the formulation of the emergency plan. 1983, c. 30, s. 3.

AND WHEREAS By-law No. 86-164 was enacted by City Council on May 13th, 1986 to formulate a municipal emergency plan.

AND WHEREAS By-law No. 94-187 was enacted by City Council on November 8th, 1994 to amend By-law No. 86-164 as it related to offences and provided for further administrative provisions and the updating of the Emergency Plan.

AND WHEREAS City Council, in adopting Section (section) of the (no.)th Report of the Finance and Administration Committee on (date), 1999 authorized this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. DEFINITIONS:

In this by-law,

(a) Act means the *Emergency Plans Act*, R.S.O. 1990, Chapter E. 9.;
(b) Corporation means the City of Hamilton;
(c) Council means the Council of the City of Hamilton;
(d) Emergency means a situation or threat of an impending situation, which abnormally affects the lives, health, safety and property of the residents of the City. An emergency by nature or magnitude, require a controlled and co-ordinated response by multiple agencies, (both governmental and/or non-governmental), under the direction of the appropriate municipal officials. An emergency is distinct from routine operations carried out as normal daily operating procedures by municipal agencies, departments or services, such as fire suppression, policing activities, road maintenance, etc.;
(e) Emergency Control Group means the group comprised of the Mayor, City Manager, Chiefs, and other Department Heads, as set out in the Emergency Plan, who

collectively act as the main decision making authority during City emergencies and is responsible for advising of all action taken with respect to an emergency.

(f) Emergency Plan means a plan formulated pursuant to this by-law provision of necessary services during an emergency and the employees of the Corporation and other persons to respond to an emergency;

2. HAMILTON EMERGENCY PLAN

(a) The emergency plan hereto annexed as "Schedule 1" and entitled "City of Hamilton Emergency Plan" shall be the emergency plan of the City of Hamilton.

3. DECLARING AN EMERGENCY TO EXIST

(a) The Mayor (or Acting Mayor) has the legislative authority under the Act to declare an "Emergency to Exist" within the boundaries of the City of Hamilton. The decision to declare an emergency to exist is made by the Mayor, in likely consultation with the members of the Emergency Control Group.

(b) Upon declaring an emergency to exist, the Mayor with the assistance of the Municipal Clerk shall immediately notify the following:

(i) members of Council;
(ii) the Chairman of the Regional Municipality of Hamilton-Wentworth;
(iii) the Solicitor General of Ontario, through the auspices of Emergency Measures Ontario;
(iv) local member(s) of Provincial Parliament;
(v) local member(s) of Federal Parliament;
(vi) elected Heads of Council of the area municipalities;
(vii) local media; and
(viii) the public

4. ADMINISTRATION

(a) The Municipal Emergency Plan formulated pursuant to this by-law, with the exception of the portions excluded from public record for security reasons, shall be be made available to the public for inspection and copying at the office of the Municipal Clerk during office hours.

(b) The following by-laws are hereby repealed:

(i) By-law No. 86-164; and
(ii) By-law No. 94-187.

(c) This by-law shall come into force on the date of its enactment.

(d) The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this day of 1999, A.D.

MUNICIPAL CLERK MAYOR

22(c)

Bill No. D-25

BY-LAW NO. 99 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 6TH DAY OF JULY, 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 6th day of July A.D. 1999

MUNICIPAL CLERK MAYOR

JOINT BUDGET STEERING COMMITTEE

BACKGROUND MATERIAL

CITY OF HAMILTON / REGION OF HAMILTON WENTWORTH

-RECOMMENDATION-

DATE: June 21, 1999

REPORT TO: Chairman and Members
Budget Steering Committee

FROM: D.A. Lychak
City Manager

Allan C. Ross
General Manager of Finance

SUBJECT: Year 2000 Budget Process and Guidelines

RECOMMENDATION:

1) That the Year 2000 Budget Committees and Membership thereof as outlined in Appendix "A" be approved.

2) That the Year 2000 Budget Timetable (attached Appendix "B") be approved, and that the Corporate Services Department be authorized to set up all meetings as outlined on the Timetable.

3) That the Year 2000 Budget Guidelines Option #___ (attached Appendix "C") be approved.

4) That the Budget Funding Policies outlined on the attached Appendix "D" be approved.

D.A. Lychak

Allan C. Ross

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The past few budget years have been challenging for staff and council. Trying to complete the budget process in a reasonable time has been difficult due to Provincial Downloading, restructuring and pressures associated with reducing costs. In response to Council suggestions and in an effort of streamline the budget process staff is bringing forward a method that will result in the budget process being completed by December 14th 1999.

From a staff point of view, completing the budget early will allow for more resources to be allocated to the year end process to accelerate its completion and in turn allow for time to conduct more comprehensive review and analysis of operational activities. It will also allow for budgetary control to be fully operational for the entire budget year, enabling better operational planning and control.

Communication / Committees:

The attached Appendix "A" outlines the proposals for all Budget Committees. Significant changes are being proposed in the area of public input and communication. It is being recommended that two public meetings be introduced to solicit input from all concerned citizens. This forum will allow staff and Council to listen to the public in a less formal setting to respond to concerns and to evaluate any suggestions. If approved, staff will report back with respect to the details. At this point, two meetings are being proposed, one for the Capital Budget and one for the Current Budget. To complement and assist in the public meetings, the Communications Division will work with Budget staff to prepare all appropriate correspondence. As well, the Communications Work Team will develop correspondence strategies to keep all staff informed throughout the process.

Timetable:

Appendix "B" is the detailed Budget Timetable. The timetable runs from September to mid December. The three months allow for detailed review by BSC and Committee of the Whole of all Departmental Budgets, as well as detailed Capital Budget reviews. It allows for public input and sufficient time for staff to address any issues or requests that may arise during the process.

Year 2000 Budget Guidelines:

In order for the target deadline to be met, staff will prepare detailed budgets for submission on September 10th. To accomplish this targets must be set prior to the end of June. This will allow the staff the summer months to complete all budget documents for submission.

In 1999 staff was directed to achieve savings of $25 M over the next 2 years. During the 1999 Budget process Council approved savings in the amount of $13.6 M which resulted in an overall budget reduction of 3% (including growth). To achieve the desired $25M a further $11.4 M (or 3.2% of all Operating Costs) reduction must be achieved in 2000. Also approved in 1999 was a 1% Levy for Capital expenditures for the Region and a $1M increase for the City to accelerate moving to "Pay As You Go" financing policy. When combined, the 3.2% reduction in Operating costs together with the increase in Capital, results in an overall decrease in the total combined City and Region Levy of 1.7%.

Also identified on Appendix "C" are alternate budget directions that would reinvest Year 2000 savings into activities that would generate long term savings and stability for the corporation.

Budget Policy Recommendations:

Appendix "D" sets out the Policy recommendations to be applied for the year 2000. With the exception of Policy #1 and #2 which are detailed in the Appendix, these policies represent current practices and are not intended to change but rather to document our policies.

APPENDIX "A"

Communication / Committees

Political Approval:
- City Council
- Regional Council
- Joint Committee of the Whole
- Budget Steering Committee

Current Budget Working Committee - 7 Departmental / Division Administrators
- 1 Police Administrator
- 1 Budget Co-ordinator
- 1 Budget analyst responsible for HECFI, City Manager, Legislative and Boards.
- MANDATE: To co-ordinate budget submissions and communicate with operating divisions/departments

Public Meetings
- Two public meetings to be held to allow the public to review and ask questions regarding the Capital and Operating Budgets.
- MANDATE: After presentation to BSC, staff will make a presentation and be available to answer questions.

Budget Communication & Promotion:
- 1- Budget Analyst
- 1- Communications Officer (Corp. Serv. Dept.)
- MANDATE – To communicate Budget Highlights to all staff throughout the process, production of budget documentation, and co-ordination and promotion of public meetings.

Capital & Development Co-ordinating Committee:
consolidate the CBRC and the DCC into one Committee to include representation from each division.

APPENDIX "B"
CITY OF HAMILTON / REGION OF HAMILTON-WENTWORTH
YEAR 2000 BUDGET DEVELOPMENT PLAN SCHEDULE

	DEPT / DIVISION	CMT	BSC	PUBLIC MEETING	J-COW	REGIONAL COUNCIL	CITY COUNCIL
Maintenance Budgets to Finance, including: Restructuring savings Recommended program changes to achieve targets Proposed user fees and utility rates * *Copy to Standing Committee for information only*	Sept. 10						
Capital Budget details to Finance	Sept. 17						
Current Budget Review:							
Review Macro and individual budgets & approve recommended strategy		Sept. 29 (all day)					
Present overall Macro Budget & strategy			Oct. 7				
Present Detailed Current Budgets:							
Legislative / Management (Legislative, Chairman, City Manager), Human Resources, Finance			Oct. 7 a.m.				
Community Planning & Development, Community Services, Corporate Services, Social & Public Health Services			Oct. 7 p.m.				
Transportation, Operations & Environment			Oct. 14 a.m.				
Police & Other Boards			Oct. 14 p.m.				
Final review & direction re strategy			Oct. 14				
Overall Macro Budget presentation & approval of strategy as revised by BSC					Oct. 19		

APPENDIX "B"

APPENDIX "B"
CITY OF HAMILTON / REGION OF HAMILTON-WENTWORTH
YEAR 2000 BUDGET DEVELOPMENT PLAN SCHEDULE

	DEPT / DIVISION	CMT	BSC	PUBLIC MEETING	J-COW	REGIONAL COUNCIL	CITY COUNCIL
Capital Budget:							
Presentation (details)		Oct. 18	Oct. 21	Oct. 22			
Approve & forward to BSC / J-COW		Oct. 18 (all day)	Oct. 28 (all day)				
Distribution to J-COW					Nov. 2		
Overview & approval (additional meeting if required)					Nov. 18 Nov. 25		
Current Budget:							
Macro Update and Review		Nov. 1	Nov. 4	Nov. 5			
Macro Update and Finalize			Nov. 11				
Distribution to J-COW					Nov. 15		
Overview & approval (additional meeting if required)					Nov. 25 Dec. 2		
Input Maintenance Budget into Peoplesoft - Finance	Nov. 30						
Approval of Tax Rates, User Fees, Utility Rates, By-Laws						Dec. 7	
Approval of Tax Rates, User Fees, By-Laws							Dec. 14

APPENDIX "B"

APPENDIX "C"

Year 2000 Budget Guidelines

CITY OF HAMILTON /
REGION OF HAMILTON-WENTWORTH

		1999 Approved Budget $m	Achieve $25M Target $m	2000 Budget Target $m	% Change
	Operating Levy *Current Direction ($25M)*	360.9	(11.4)	349.5	(3.2)%
	Capital Levy *As recommended in 1999*	49.7	4.5	54.2	9.1%
Option "A"	Total Levy	410.6	(6.9)	403.7	(1.7)%
Option "B"	Fund major initiatives associated with restructuring: - Reinvest in municipal buildings - Invest in relocation of staff		3.0	406.7	(0.9)%
Option "C"	Reinvestment in corporation for staff training and development		0.9	407.6	(0.7)%
Option "D"	Defer reduction to ease transition: - Additional time to plan service delivery options - Slower pace of change		3.0	410.6	0.0%
Option "E"	Other - as directed by BSC				

APPENDIX "D"

Budget Policy Recommendations

1) **That future years' incremental operating costs resulting from capital projects not be added to the operating budget for the City Of Hamilton in the 2000 Budget.**

2) **That staff review the feasibility of including both operating costs and Debt Charges for new capital projects in the year the capital project is approved starting in the year 2001 for both the City and Region.**

The Region and the City of Hamilton currently have differing policies with respect to operating budget impacts resulting from capital budget expenditures. This is due to the differences in the general nature of capital spending by the two corporations.

Regional expenditures are primarily for "hard" infrastructure such as roads, water, and sewer construction. Operating budget impacts would typically be for long-term maintenance of the infrastructure. As such, there are no identifiable short-term increases that can be identified and added to the operating budget.

City of Hamilton capital expenditures on the other hand are typically for "soft" infrastructure such as recreation centers, libraries, and parks. These types of capital expenditures often result in significant staffing and/or maintenance costs. As such, the City of Hamilton adds incremental operating costs to the operating budget in the year that the budgeted capital expenditure is committed. Any operating costs that do not actually occur are used to reduce future years operating costs, and are phased in over a number of years to smooth the overall impact on the operating budget.

For the year 2000 budget process, significant reductions in operating costs are projected to be required. To reduce the burden of budget cuts required by operating departments, it is recommended that incremental operating costs resulting from capital expenditures be included in the operating budgets starting in the year that these costs are expected to incur rather than in the year of capital spending.

For the year 2001, it is recommended that Finance staff look into the feasibility of adding both operating costs as well as debt financing costs to the operating budgets in the year of capital spending. Any funds not required in the years of capital spending could then be used to reduce net capital expenditures requiring Region or City funding.

3) That the annualized savings of an approved program reduction be deducted from the operating budget in the year of approval, and

4) That the Tax Stabilization Reserve fund any difference between the annualized savings and the current year savings which results in a deficit to the division.

5) That the current year cost of an approved new/enhanced program be added to the operating budget in the year of approval; and that the difference between the current year cost and the annualized cost of the program be added to the corporate financial budget in the year of approval as a transfer to the Tax Stabilization Reserve; and

6) That the transfer to the Tax Stabilization Reserve noted in item (5) above not exceed the divisional surplus for the current year; and

7) That the difference between the current year cost and the annualized cost budget base for the new/enhanced program be transferred from the corporate financial budget to the divisional budget in the year following approval of the new/enhanced program.

8) That one-time expenditures be funded from the Tax Stabilization Reserve in the year of approval.




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